

B VOL 1 of 3COURT OF CRIMINAL APPEALS No. CR-02-2104**APPEAL TO ALABAMA COURT OF CRIMINAL APPEALS**

FROM

CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMACIRCUIT COURT NO. CC 2002-1417CIRCUIT JUDGE HOBBSType of Conviction / Order Appealed From: INTENTIONAL MURDERSentence Imposed: LIFE WITHOUT PAROLEDefendant Indigent: ☒ YES ☐ NODARRYL JEVON JOYCE

NAME OF APPELLANT

AIMEE C. SMITH(334) 264-6466(Appellant's Attorney)(Telephone No.)640 S. MCDOUNOUGH STREET(Address)MONTGOMERYAL36104(City)(State)(Zip Code)

V.

STATE OF ALABAMA

NAME OF APPELLEE

(State represented by Attorney General)

NOTE: If municipal appeal, indicate above, and enter
name and address of municipal attorney below.

(For Court of Criminal Appeals Use Only)

Part 1 of 5

EXHIBIT

tabbles

A

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CLERK'S RECORD

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ACROSS THE ALABAMA JUDICIAL INFORMATION SYSTEM CASE: CC 2002 001417.00
 OPER: REG CASE ACTION SUMMARY
 PAGE: 1 CIRCUIT CRIMINAL RUN DATE: 11/15/2002
 IN THE CIRCUIT COURT OF MONTGOMERY JUDGE: SMG

STATE OF ALABAMA

VS

JOYCE DARRYL JEVON
320 BITFORD WAY

CASE: CC 2002 001417.00

MONTGOMERY, AL 36108 0000

DOB: 12/30/1977 SEX: M RACE: S HT: 5 11 WT: 150 HR: EYES:
 SSN: 421313893 ALIAS NAMES: FAULK WILLIE LOVE PONCHO
 CHARGE01: MURDER CODE01: MURD LIT: MURDER TYP: F #: 001
 OFFENSE DATE: 02/01/2002 AGENCY/OFFICER: 0030100

DATE WAR/CAP ISS:
 DATE INDICTED: 11/08/2002
 DATE RELEASED:
 BOND AMOUNT: \$500,000.00

DATE ARRESTED: 02/11/2002
 DATE FILED: 11/15/2002
 DATE HEARING:
 SURETIES:

DATE 1: DESC: TIME: 0000
 DATE 2: 11/21/2002 DESC: ARRG TIME: 0830 A

TRACKING NOS: GJ 2002 110241 00 /

DEF/ATY: *Hartley Hartley* TYPE: A

00000

PROSECUTOR: *W. Powell*

TYPE:
July 21
May 12
March 10
Jan 13

OTH CSE: GJ200211024100 CHK/TICKET NO:
 COURT REPORTER: SID NO: 001342224 GRAND JURY: 241
 DEF STATUS: JAIL DEMAND: OPER: REG

ACTIONS, JUDGEMENTS, AND NOTES

11-21-02 *W. Hartley, appt'd*
 DEFENDANT, *signed in open*
 COURT, PLEADS NOT GUILTY.
 SMG

1-13-03 *By Agreement of the parties case*
continued to give A an opportunity
to locate other witnesses
 TMH

12-16-02 *Notice of Discovery*
 2-28-03 *A appeared for pretrial*
 TMH

3-5-03 *Mr. Hartley's Oral Motion to*
Withdraw granted. A's Mother
informed the Court they are
retaining Mr. Hamm. Case continued
to May 12, 2003 for Trial

F. [Signature]

ACR0349 ALABAMA JUDICIAL INFORMATION CENTER

CASE ACTION SUMMARY
CONTINUATIONCASE: CC 2002 001417.00
JUDGE ID: SMG

STATE OF ALABAMA

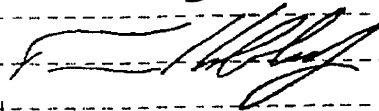
VS

JOYCE DARRYL JEVON

DATE ACTION, JUDGMENTS, CASE NOTES

5-8-03

It having been made known
to the Court that Mr. Hamm
has not been retained in
this matter, Mr. Hantley
is re-appointed and this matter
shall be set for trial



6/06/03

Second notice of Discovery

7-11-03

A appeared for pretrial

7-22-03

JUDGEMENT IS HEREBY ENTERED
IN ACCORDANCE WITH THE
VERDICT OF THE JURY:

State gives notice of 3 pleas, Sentencing set
8-18-03 @ 8³⁰ am

Circuit Judge

8-18-03 @ 8³⁰ am

CASE ACTION SUMMARY
CONTINUATION

CC-02-1417 TM

3

Form C-7

Rev. 2/79

Style:

Darryl Joyce

Page Number _____ of _____ Pages

DATE

ACTIONS, JUDGMENTS, CASE NOTES

8-18-03

Defendant & attorney appeared for sentencing. Court asked if he/she had anything to say why sentence should not now be pronounced and Defendant had his/her say.

HOA Enhancements Applicable Yes No
Defendant Admits _____ State Proves 4 priors

IT IS ORDERED:

Sentenced to Life without Parole
Yes /split to serve _____ yrs.
_____ reverse split postpone _____ mo./year Review _____
Concurrent _____ Consecutive _____

Suspended YES NO Supervised/P.O./Court Probation _____ years
End of Split Sentence _____ years supervised probation
_____ DOC to give 60 day notice prior to E.O.S.

ENHANCEMENTS \$1000/2000 Enhancement Fine
_____ Remit portion completion of SAP
_____ Driver License suspended/revoked 6 mo/_____
_____ \$100 DFS fee _____ \$100 Head Injury_____
_____ years School/_____ years Public Housing
_____ years Sale under 18

Boot Camp _____ SAP _____ Review upon completion-YES _____ GED _____
Work Release _____ Community Service _____ hrs. Trash Pickup _____ hr

OTHER: Δ's Motion for Appeal Bond denied
in accordance with the law

Restitution \$ 7,651.50 Co-Defendant(s) _____
Jointly and Severally liable Crime Victim \$25.00/(\$50.00)
Court Costs ✓ Attorney Fees \$150.00 Fine \$ _____
Payment \$ _____ Mo/Week Begin _____ /03 or 1/2 monies earned _____

Review/Other _____

Defendant advised right to appeal yes/no unless reserve issue or withdraw plea; Defendant to be given credit for time served.
Appeal Bond set \$ denied

Δ gives Oral Notice of Appeal

TRUMAN M. HOBBS
CIRCUIT JUDGE

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ACRO369 ALABAMA JUDICIAL INFORMATION CENTER

CASE ACTION SUMMARY
CONTINUATIONCASE: CC 2002 001417.00
JUDGE ID: TMH

STATE OF ALABAMA

VS

JOYCE DARRYL JEVON

DATE

ACTION, JUDGMENTS, CASE NOTES

8/27/03 Cert. Of Appeal To Crm. Appls., AG, DA, Court
Reporters & Def. Atty. (w/ Forms)

9-16-03 Motion To Withdraw & Request For
Counsel On Appeal

9-17-03 Order Granting Motion To Withdraw and
Aimee C. Smith appointed as dyp' Counsel.

10/01/03 Form ABAP-1C Filed

Case # 02-02623

AFFIDAVIT
DISTRICT COURT OF MONTGOMERY ALABAMA

2002-22

D002-701

5

INSTRUCTIONS: Complete the following information on OFFENSE/OFFENDER.

Offense: MURDERDefendant's Name: DARRYL JEVON JOYCE AKA "PONCHO"

2002 MAR 11

D.O.B: 12/30/1977Defendant's SSN: 421-31-3693Height: 5'11"Weight: 150lbDefendant's Address: 320 BITFORD WAY, MONTGOMERY, AL 36108Date & Time of Offense: 02/01/02 @ 2337 HRS.Place of Occurance: 4000 BLOCK OF MARLYN ST., MONTGOMERY, AL 36108Person or Property Attacked: B/M, JAMES EDWARD FRIENDLYHow Attacked: SHOT VICTIM TO DEATH.

Damage Done or Property Attacked: _____

Value of Property: _____

Details of Offense:

On Friday, 02/01/02, at approximately 2337 hrs, the listed Defendant shot the listed Victim after a altercation occurred between the two subjects in the 4000 block of Marlyn St. The Victim died of his wounds at Jackson Hospital. Several witnesses identified the Defendant as the subject who shot the Victim.

This is in violation of 13A-6-2, State code of Alabama.

This offense occurred in the City of Montgomery, in Montgomery County, Alabama.

I make this affidavit for the purpose of securing a warrant against the said DARRYL JEVON JOYCE AKA "PONCHO". I understand that I am instituting a criminal proceeding and cannot drop this case. I further understand that if any of the foregoing facts are untrue, I may, in addition to any other punishment provided by law, be taxed with court costs in this proceeding.

Sworn to and subscribed before me
this _____ day of _____ 2002.

CPL. E.E. Howton Jr.
Complainant

[Signature]
Judge - Clerk - Magistrate

WITNESSES: (Name, Address, Telephone Number)

- 1) CPL. E.E. HOWTON JR. #404/320 N. RIPLEY ST., MONTG., AL/241-4831
- 2) _____
- 3) _____

ACR364

ALABAMA JUDICIAL DATA CENTER
 DISTRICT COURT OF MONTGOMERY COUNTY
 TRANSCRIPT TO CIRCUIT COURT

CASE: DC 2002 000701.00
 JID: LUCIE MCLEMORE

THE STATE OF ALABAMA

VS

JOYCE DARRYL JEVON
 320 BITFORD WAY

MONTGOMERY

AL 26108-0000

CHARGE: MURDER

PROSECUTOR:

DEF ATTY:
 DEF ATTY:

----- WARRANT ISSUED AND DELIVERED TO SHERIFF.

03/10/2002 WARRANT EXECUTED BY ARRESTING THE DEFENDANT AND COMMITTING HIM
 TO JAIL (OR RELEASING HIM ON BOND).

----- BOND \$500,000.00 APPROVED AND FILED. SURETIES.

----- DEFENDANT TRIED, CONVICTED AND FINED 0.00 DOLLARS
 AND THE COST OF THE PROSECUTION.

----- ON PRELIMINARY EXAMINATION, DEFENDANT BOUND OVER TO AWAIT THE
 ACTION OF THE GRAND JURY AND BOND FIXED AT \$0.00.

----- DEFENDANT APPEALED TO THE PRESENT TERM OF THE CIRCUIT COURT AND
 BOND FIXED AT \$ -----.

----- BOND APPROVED AND FILED; SURETIES:

04/11/2002 NO PRELIMINARY REQUESTED, CASE TRANSFERRED TO D.A.
 CASE LAPSE FWD

BILL OF COST

DOCKET FEE	0.00
PRELIMINARY HEARING	0.00
WITNESS SUBPOENA	0.00
TOTAL	0.00

FILED
 Melissa Rittenour
 Circuit Clerk

CERTIFICATE TO TRANSCRIPT

TO THE CLERK AND THE CIRCUIT COURT:

I HEREBY CERTIFY THAT THE FOREGOING IS A FULL, COMPLETE AND EXACT
 TRANSCRIPT FROM MY DOCKET OF THE JUDGMENT AND PROCEEDINGS IN THE ABOVE
 CAUSE, AND I HEREWITH SEND TO THE CIRCUIT COURT ALL THE ORIGINAL AND
 OTHER PAPERS PERTAINING TO THE SAID CAUSE.

DATE ISSUED: 04/11/2002

MELISSA RITTENOUR
 CLERK

BY:-----

NOTE:

WITNESS FOR STATE:

OPERATOR: MEH
 PREPARED: 04/11/2002

C 02-1417 SMG

GJ NO. 241

THE STATE OF ALABAMA

v.

DARRYL JEVON JOYCE, alias
320 Hillford Way, DOB: 12/30/77
HT: 5'11; WT: 150; B/M

SID. NO. 01342224 ARREST DATE 02/11/02
FOR
MURDER

A TRUE BILL

Shirley Redding
Foreperson of Grand Jury

BAIL IN THIS CASE IS FIXED AT
\$500,000

Judge of Circuit Court of Montgomery County

CC NO.

STATE 1001

Presented in open Court by the Foreperson of

the Montgomery County Grand Jury in the pres-

ence of 16 other members of

the Grand Jury and filed this 8th day of

November, 02.

William Dittencourt

Clerk of the Circuit Court of Montgomery County

WITNESSES

SEE ATTACHED.....

THE STATE OF ALABAMA
MONTGOMERY COUNTY

Circuit Court of Montgomery County, _____ NOVEMBER _____ Term. A.D. 2002

The Grand Jury of said County charge that, before the finding of this indictment,

DARRYL JEVON JOYCE, alias
DARRYL D. JOYCE, alias
DARRYL J. JOYCE, alias
DARRLY J. JOYCE, alias
DARRYL JENON JOYCE, alias
DARYL JOYCE, alias
DARRYL JOYCE, alias
PUNCH O JOYCE, alias
PUNCH-O JOYCE, alias
PUNCHO JOYCE, alias
WILLIE FAULK, alias
WILLIE LOVE FAULK, alias
PONCHO,

whose name is otherwise unknown to the Grand Jury, did intentionally cause the death of another person, James Friendly, by shooting him with a gun, in violation of Section 13A-6-2 of the Code of Alabama,

against the peace and dignity of the State of Alabama.

Ellen B. Bandy
District Attorney, Fifteenth Judicial Circuit of Alabama

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11/07/02 09.25.00

PAGE 1

FIRST NAME	LAST NAME	ADDRESS	CITY	STATE	EMPLOYER	EMPLOYER ADDRESS
1 Amy	Albright	4003 A Marilyn St			MPD	
2 J. D.	Braswell				DFS	02-MM-00226
3 Ben	Bristol				MFD	
4 K. T.	Burke				MPD	
5 C. J.	Butterbaugh				MPD	
6 K. L.	Byrd				MPD	
7 C. W.	Drew	3951 B N. Smiley			MFD	
8 Darrol	Foggy				MPD	
9 M.	Gant	6601 Concord Mews			MPD	
10 Antwoine	Giles				MPD	
11 C. J.	Grandison				MFD	
12 A. S.	Hall				MPD	
13 J. D.	Happney				MPD	
14 J. W.	Haynie				MPD	
15 D. M.	Hoffman				MPD	
16 E. E.	Howton				MPD	
17 A.	Jones				MPD	
18 Avery	Jones	2637 The Meadows	#7926		MPD	
19 Ebony	Judkins	4002-A Marilyn St			MPD	
20 B. J.	Jurkofsky				MPD	
21 J.	Mackey				MPD	
22 S. A.	Martino				MPD	
23 T. N.	McCaskill	4002-A Marilyn St			MPD	
24 Christopher	McQueen				MPD	
25 M. P.	Myrick				MPD	
26 G.	Naguin				MPD	
27 Brian	Osborne	1395 Devonshire Dr			unemp.	
28 Johnny	Osborne	1395 Devonshire Dr			unemp.	(Stephanie Wood)
29 Saravane	Parish				DFS 02MM00226	02-MM-00226
30 Katherine	Richard				DFS	
31 P. J.	Sampson				MPD	
32 Officer	Seithall				MPD	
33 Eric	Stewart	4003 A Marilyn St			unemp.	
34 Bryant	Thomas	2819 3rd St.			Barber Shop	812 Southern Blvd
35 Bryant	Thomas	2819 3rd St.			MPD	
36 Gerald	Thomas	312 Bitford Way			MPD	
37 K. G.	Threat				MPD	
38 J. M.	Townsend				MPD	
39 R.	Wallace				MPD	
40 Emily	Ward				DFS 02MM00226	
41 W. T.	Wheeler				MPD	
42 S. E.	Wilson				MPD	
43 E. E.	Wine				MFD	
44 Jermeica	Winks	1408 4th Ave S.	Clanton, Al			

***** END OF REPORT *****

IN THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT
MONTGOMERY COUNTY, ALABAMA

STATE OF ALABAMA
Plaintiff,

v.

DARRYL JEVON JOYCE,
Defendant.

CC No. 02-1417-SMG

NOTICE OF DISCOVERY

COMES NOW the State of Alabama by and through its District Attorney for the Fifteenth Judicial Circuit, Eleanor I. Brooks, and gives notice of discovery to the defendant, notice of intent to use prior convictions, notice of intent to invoke sentencing enhancements, notice of intent to offer proof by a certificate of analysis, and motion for discovery by the State:

(☒) 1. Pursuant to Rule 16.1, A.R.Cr.P., and as otherwise required by law, all available discovery has been provided or made available to the Defendant. Arrangements to inspect physical evidence may be made by contacting the undersigned.

The State of Alabama has furnished a copy of the discovery by sequentially Bates-numbered pages from 000001 thru 0000 271. (Pages 178, 181-183, & 202 have not been provided as they are either work product and/or NCIC, which cannot be provided pursuant to state law, unless ordered by the Court). The State of Alabama considers this discovery material to have been received in its entirety by Defense Counsel unless promptly notified in writing of any discrepancies.

(☒) 2. The State of Alabama intends to use at trial any and all prior convictions, crimes, wrongs, or acts of the Defendant permitted by Rules 404(b) and 609 of the Alabama Rules of Evidence, and as otherwise allowed by law. The State of Alabama is presently aware of, and intends to use, the following:

Disc. GON Dec. JEH 94-2506-SMG

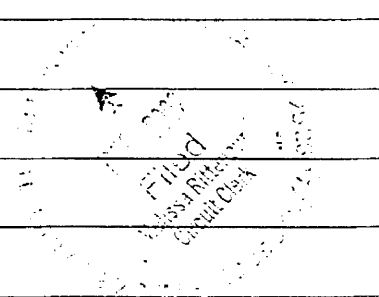
ASSAULT II CC-96-1980-SMG

ASSAULT II CC-97-1984-SMG

ASSAULT II CC-97-1985-SMG

ASSAULT III CC-97-2053-SMG

ASSAULT III CC-97-2031-SMG



State of Alabama v Darryl Joyce
Motion for Discovery
November 25, 2002
Page 2 of 3

☒ 3. The State of Alabama intends to invoke all sentencing enhancements required or permitted by law, including the Habitual Felony Offender Act, pursuant to §13A-5-9, Code of Alabama, 1975, based on any applicable felony convictions known or any which may subsequently be discovered and/or disclosed. And, if applicable, the following:

☒ Enhancement for use of firearm or deadly weapon. Minimum term of imprisonment of 20 years.

☐ Five Year enhancement for Sale of Drugs within three (3) miles of a school, §13A-12-250.

☐ Five Year Enhancement for Sale of Drugs within three (3) miles of housing project, §13A-12-281.

☐ \$1,000.00 Fine, §13A-12-281.

☐ \$2,000.00 Fine, §13A-12-281.

☐ Suspension of Driver's License, §13A-12-290.


☐ Five Year Enhancement for Possession of Firearm, §13A-12-231(13).

☒ 4. Pursuant to §§ 12-21-300 through 303, Code of Alabama, 1975, written notice is hereby given of the State's intent to offer proof by a certificate of analysis in lieu of direct testimony. The certificate of analysis is from the Alabama Department of Forensic Sciences and a copy is included in the discovery material.

☒ 5. Pursuant to Rules 16.2 and 16.4(c), A.R.Cr.P., and as otherwise required by law, the Defendant is to provide the State of Alabama, within seven (7) days, a copy of all discovery to which it is entitled.

Respectfully submitted this 1st day of ~~November~~ December, 2002.

ELEANOR I. BROOKS
DISTRICT ATTORNEY

By: 
William I. Powell (POW56)
Deputy District Attorney

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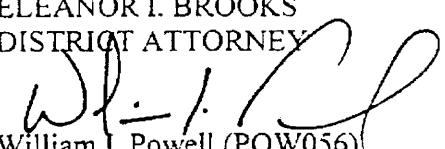
State of Alabama v Darryl Joyce
Motion for Discovery
November 25, 2002
Page 3 of 3

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the Honorable Wiley Hartley, Attorney for the Defendant, by hand delivery or by placing same in the appropriate Courthouse Box, or by posting in the United States mail, postage prepaid and properly addressed, on the 10th day of ~~November~~, 2002.

December

ELEANOR I. BROOKS
DISTRICT ATTORNEY

By: 
William I. Powell (POW056)
Deputy District Attorney

Judge
Greenhaw

02-1417

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MONTGOMERY COUNTY DETENTION FACILITY
INCIDENT REPORT

REPORT#: 02-12-03-001
 TIME OF REPORT: 1226 hours LOCATION: 4-North, cellblock D
 TYPE OF INCIDENT: Inmates causing disturbance TIME: 0710 hrs.
 REPORTED BY: Orum S. CO
 LAST NAME FIRST NAME RANK ID#

INMATES INVOLVED IN INCIDENT

NAME (LAST, FIRST)	RACE SEX	BOOKING #	CELL	WITNESS/VICTIM/OFFENDER (INDICATE ONE)
Johnson, Frankie	B M	66726	4-D-11	Offender
Joyce, Danny	B M	65721	4-D-9	Offender
Cowart, Anthony	B M	7889	4-D-3	Offender
Langford, Joel	W M	80774	4-D-2	Offender

INJURY TO VICTIM

EXTENT OF VICTIM INJURY: (x) MINOR () SERIOUS () FATAL
 TYPE OF INJURY: Minor abrasion to left hand

VICTIM HOSPITALIZED: () YES (x) NO

IF "YES" WHAT HOSPITAL:

MEDICAL ACTION

DESCRIBE MEDICAL ACTION: Inmate Langford's hand was cleansed and neosporin was applied. The area was then bandaged.

DETAILS OF INCIDENT

DESCRIBE INCIDENT IN DETAIL (WHO, WHAT, WHERE, WHEN, HOW, WHY, AND ACTION TAKEN BY OFFICER)

February 12, 2003, at 0710 hours. Officer Orum (4-North control booth operator) observed inmates Johnson, Joyce and Cowart throwing water from their cells onto Inmate Langford. At that time Inmate Langford was out in the day room for his hour break. Inmate Langford then went upstairs to confront the inmates who were throwing water. Officer Orum dialed into the cellblock via the intercom and ordered Inmates Johnson, Joyce and Cowart to stop throwing water. Officer Orum then instructed Inmate Langford to come downstairs and lockdown, but to no avail. At 0711 hours Officer Orum phoned Booking and spoke with Sgt. Jackson concerning the aforementioned incident.

At 0713 hours Sergeants Sanderson, and Jackson, along with Officers Foster, Washington, and Roberson arrived and entered the vestibule. Sgt. Sanderson ordered Inmate Langford into the vestibule area. Inmate Langford complied with the order. After entering the vestibule area, Sgt. Jackson observed an abrasion on Inmate Langford's left hand. Sgt. Jackson questioned Inmate Langford as to how he received the injury. Inmate Langford stated that it happened when he was trying to wrestle a broom from Inmate Johnson. Sgt. Jackson, along with Officers Washington and Roberson, escorted Inmate Langford to the Medical Unit to be seen by the nurse. Nurse

RECEIVED

2-25-03

14

(Continued from first page) INCIDENT REPORT# 02-12-03-001

Boddie cleansed the abrasion with peroxide, applied a generous amount of neosporin to the wound, and bandaged the affected area. When questioned by Sgt. Jackson as to the nature of the incident, Inmate Langford stated that "he was tired of the Niggers in that cell keeping him up all night".

Sgt. Sanderson remained on 4-North, entered 4-D cellblock, and began questioning Inmates Johnson, Joyce and Cowart concerning the incident. The aforementioned inmates stated to Sgt. Sanderson that Inmate Langford repeatedly called them "Niggers". Sgt. Sanderson phoned Booking and informed Lt. Matthews of the incident. Sgt. Sanderson further stated that it was in Inmate Langford's best interest that he be relocated from 4-D. Lt. Matthews concurred with the decision. At 0735 hours Sgt. Jackson escorted Inmate Langford back to his cell to gather his belongings for relocation. Inmate Langford was relocated to 1-C-4 without further incident. No other inmates or officers were injured as a result of this incident.

Officer Orum is requesting that Inmates Johnson, Joyce, Cowart and Langford go before the disciplinary hearing clerk on the following violations:

- B-8 Attempting to control other inmates, whether through coercion, force, or threat
- C-16 Acting in a way that disrupts or interferes with security or orderly running of the Detention Facility (i.e. failure to lock-down/return to bunk, not returning issued razors at change-out or at release)

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REPORT# 02/12/03/001

By signing below I concur with the content of the report.

Report prepared by:

[Signature]

Date: 2-12-03

Supervisor Signature:

[Signature]

Date: 2-12-03

By signing below I concur with the content of the report.

Responding Officers:

Ofc. Robinson

Date: 02/12/03

Sgt. Jender

Date: 2-12-03

Sgt. Jackson

Date: 2-12-03

Michael Foster

Date: 2-12-03

Ch. R. Washington

Date: 2-12-03

By signing below I concur with the content of the report.

Medical Staff:

Date: _____

Date: _____

Date: _____

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State of Alabama

Case Number

Unified Judicial System

JURY VERDICT

Form C-50

Rev 6/88

CC-02-1417 TME

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

Plaintiff: STATE OF ALABAMA v. Defendant: DARRYL J. JOYCE

☒ We the jury find the Defendant GUILTY of intentional
Murder as charged in the Indictment.

OR

☐ We the jury find the Defendant NOT GUILTY.

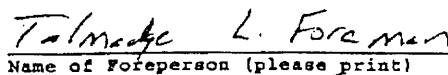
7-22-03


JUDGEMENT IS HEREBY ENTERED
IN ACCORDANCE WITH THE
VERDICT OF THE JURY.


CLERK

RECEIVED

7-23-03
CLERK


Name of Foreperson (please print)


Foreperson Signature

Date filed 07, 22, 03

17

IN THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT
MONTGOMERY COUNTY, ALABAMA

STATE OF ALABAMA)
Plaintiff,)

v.)

DARRYL JEVON JOYCE,)
Defendant.)

CC No. 02-1417-TMH

SECOND NOTICE OF DISCOVERY

COMES NOW the State of Alabama by and through its District Attorney for the Fifteenth Judicial Circuit, Eleanor I. Brooks, and gives notice of discovery to the defendant, notice of intent to use prior convictions, notice of intent to invoke sentencing enhancements, notice of intent to offer proof by a certificate of analysis, and motion for discovery by the State:

(X) 1. Pursuant to Rule 16.1, A.R.Cr.P., and as otherwise required by law, all available discovery has been provided or made available to the Defendant. Arrangements to inspect physical evidence may be made by contacting the undersigned.

The State of Alabama has furnished a copy of the discovery by sequentially Bates numbered pages from 000001 thru 0000 271. (Pages 178, 181-183, 202 have not been provided as they are either work product and/or NCIC, or otherwise privileged and cannot be provided pursuant to state law, unless ordered by the Court). The State of Alabama considers this discovery material to have been received in its entirety by Defense Counsel unless promptly notified in writing of any discrepancies.

(X) 2. The State of Alabama intends to use at trial any and all prior convictions, crimes, wrongs, or acts of the Defendant permitted by Rules 404(b) and 609 of the Alabama Rules of Evidence, and as otherwise allowed by law. The State of Alabama is presently aware of, and intends to use, the following:

Disc Gen Occ Veh 94-2506 Sma _____

Assault II, CC 96-1980 Sma _____

Assault II, CC 97-1984 smg _____

Assault II, CC 97-1985 smg _____

Assault III, CC 97-2053 smg _____

Assault III, CC 97-2031 - smg _____

*NOTE: DUPLICATE DISCOVERY UPON RE-APPOINTMENT

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State of Alabama v Daryl Joyce
Motion for Discovery
June 6, 2003
Page 2 of 3

☒ 3. The State of Alabama intends to invoke all sentencing enhancements required or permitted by law, including the Habitual Felony Offender Act, pursuant to §13A-5-9, Code of Alabama, 1975, based on any applicable felony convictions known or any which may subsequently be discovered and/or disclosed. And, if applicable, the following:

☒ Enhancement for use of firearm or deadly weapon. Minimum term of imprisonment of 20 years.

☐ Five Year enhancement for Sale of Drugs within three (3) miles of a school, §13A-12-250.

☐ Five Year Enhancement for Sale of Drugs within three (3) miles of housing project, §13A-12-281.

☐ \$1,000.00 Fine, §13A-12-281.

☐ \$2,000.00 Fine, §13A-12-281.

☐ Suspension of Driver's License, §13A-12-290.

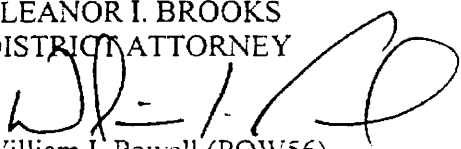
☐ Five Year Enhancement for Possession of Firearm, §13A-12-231(13).

☒ 4. Pursuant to §§ 12-21-300 through 303, Code of Alabama, 1975, written notice is hereby given of the State's intent to offer proof by a certificate of analysis in lieu of direct testimony. The certificate of analysis is from the Alabama Department of Forensic Sciences and a copy is included in the discovery material.

☒ 5. Pursuant to Rules 16.2 and 16.4(c), A.R.Cr.P., and as otherwise required by law, the Defendant is to provide the State of Alabama, within seven (7) days, a copy of all discovery to which it is entitled.

Respectfully submitted this 6th day of June, 2003.

ELEANOR I. BROOKS
DISTRICT ATTORNEY

By: 
William I. Powell (POW56)
Deputy District Attorney

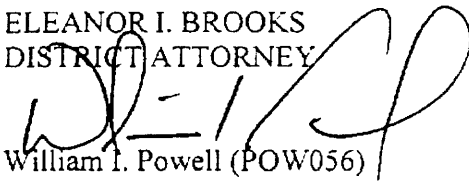
19

State of Alabama v. Daryl Joyce
Motion for Discovery
June 6, 2003
Page 3 of 3

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the Honorable Wiley Hartley, Attorney for the Defendant, by hand delivery or by placing same in the appropriate Courthouse Box, or by posting in the United States mail, postage prepaid and properly addressed, on the 6th day of June, 2003.

ELEANOR I. BROOKS
DISTRICT ATTORNEY

By:  William I. Powell (POW056)
Deputy District Attorney

ACSD370

ALABAMA JUDICIAL INFORMATION SYSTEM

CASE: CC 97 001985.00

OFFER: JAG

3E ACTION SUMMARY

RUN DATE: 09/17/97

PAGE: 1

CIRCUIT CRIMINAL

JUDGE: SMO

IN THE CIRCUIT COURT OF MONTGOMERY

STATE OF ALABAMA

VS

JOYCE DARRYL JEVON
320 BITFORD WAY

20

CASE: CC 97 001985.00

MONTGOMERY, AL 36103 0000

DOB: 12/30/77 SEX: M RACE: B HT: 6 01 WT: 155 HR: EYES:

SSN: 421313693 ALIAS NAMES:

CHARGE1: ASSAULT 2ND DEGREE

CODE1: ASS2 LIT: ASSAULT 2ND DEG TYP: F

MORE?:

OFFENSE DATE: 06/02/97

AGENCY/OFFICER: MMPD

HILL

DATE WAR/CAP ISS:

DATE ARRESTED: 07/09/97

DATE INDICTED: 09/12/97

DATE FILED: 09/17/97

DATE RELEASED: 07/09/97

DATE HEARING:

BOND AMOUNT: \$10,000.00

SURETIES: INDIVIDUAL

DATE 1: DESC:

TIME: 0000

DATE 2: 09/25/97 DESC: ATTY

TIME: 1000 A

DEF/ATY:

TYPE:

TYPE:

PROSECUTOR: BOONE, CAROL J

OTH CSE: 9700333900

CHK/TICKET NO:

01342224

GRAND JURY: 267

COURT REPORTER:

SID NO:

OPER: JAG

DEF STATUS: BOND

DEMAND:

DATE ACTIONS, JUDGEMENTS, AND NOTES

9-29-97 ~~Order~~ Motion For Consolidation of Cases

9-30-97 Order For Consolidation of Cases

11-19-97 Continued, no medical records.

RECEIVED

8-19-03

CIRCUIT COURT CLERK

State of Alabama
Unified Judicial SystemCASE ACTION SUMMARY
CONTINUATION

Case Number

CC-9 9-1985 GR

Form C-7

Rev 2/79

Style: STATE OF ALABAMA VS.

Darryl Jayce

Page Number _____ of _____ Pages

DATE

ACTIONS, JUDGMENTS, CASE NOTES

1/22/98

Y. O. A GRANTED ~~DENIED~~

1/ / 98

State's Motion/Nolle Prose Count(s) _____ Granted

1/ / 98

State's Motion To Dismiss Count(s) _____ Granted

1/ / 98

State's Motion To Amend Count _____ to _____ Granted

1/22/98

The Defendant is before the Court and is represented. The Court on record fully explained all Constitutional rights. The Court is convinced that Defendant comes into court voluntarily and understands all his rights. Exhibit A is signed by Defendant and counsel and the record affirmatively shows colloquy between the Judge and Defendant and that Defendant fully and completely understands he is waiving his Constitutional rights and other effects of a guilty plea and the consequences thereof and the sentence that could be imposed. Upon the conclusion of said colloquy the Court accepts the guilty plea and finds Defendant guilty and enters a judgment of guilt to the charge of

Assault IINotice of ~~HOA~~/Drug/Weapon Enhancements given 2 priorP.S.I. ORDERED / ~~WAIVED~~Sentencing date is 1-1998 at 8:00 a.m.SMG
SALLY GREENHAW, CIRCUIT JUDGE

22

State of Alabama
Unified Judicial SystemCASE ACTION SUMMARY
CONTINUATION

Case Number

CC-9 7-1985

m C-7

Rev 2/79

Style:

STATE OF ALABAMA V. Daryl Sorce

Page Number _____ of _____ Pages

DATE	ACTIONS, JUDGMENTS, CASE NOTES
<u>1/22/98</u>	<p>Defendant & attorney appeared for sentencing. Court asked if he/she had anything to say why sentence should not now be pronounced and Defendant having his/her say, it is ORDERED:</p> <p>HOA Enhancements Applicable <u>Yes</u>/No Defendant Admits <u>✓</u> State Proves <u>2</u> Priors</p> <p>Sentenced to <u>1.5</u> yrs./split to serve <u>3</u> yrs. <u>reverse split postpone</u> review Concurrent <u>97-1984</u> Consecutive <u>to any other cases</u></p> <p>SUSPENDED YES/NO SUPERVISED/COURT PROBATION <u>years</u> LEVEL II <u>Monitor</u></p> <p>ENHANCEMENTS - Weapons <u>years</u> Drug - <u>years</u> School/Public Housing <u>years</u> Sale under 18 \$1000/2000 Fine <u>Remit</u> portion completion SAP <u>Driver License</u> suspended 6 mo.</p> <p>GED <u>BootCamp</u> /SAP <u>Chain Gang</u> Work Release <u>Frank Lee</u> /Employment Community Service <u>hrs.at</u> /PO Select Review upon completion - Yes</p> <p>Other - <u>No contact w/ V's</u> <u>Anger Management</u></p> <p><u>Reserve Jurisdiction</u> <u>Reserve Jurisdiction</u> Restitution \$ <u>1,400.00</u> Fine \$ <u>to run</u> <u>Remit</u> Crime Victim \$25.00/\$50.00/\$ Ct.Costs <u>concurrent</u> <u>Attorneys Fees</u> \$150.00/ Attorney/GAL Fees <u>w/ older cases</u> Payment \$ <u>Mo/WK</u> Begin <u>1</u> / <u>98</u> OR 1/2 monies earned <u>✓</u> Review <u>Review</u></p> <p>Defendant advised rt. appeal, credit time served Appeal Bd. set \$ <u>JUDGE SALLY GREENHAW</u> <u>SMG</u></p>

State of Alabama
Unified Judicial SystemCASE ACTION SUMMARY
CONTINUATION

cc 97-1985 CR

Form C-7

Rev 2/79

Style:

State v

Page Number

of

Page.

DATE

ACTIONS, JUDGMENTS, CASE NOTES

1-14-02

Δ E.O.S.

DEFENDANT APPEARED FOR REVIEW.
COPY OF ORDER TO APPEAR ON
3/14/02 GIVEN TO DEFENDANT
IN OPEN COURT.

830

Smg

SALLY GREENHAW, CIRCUIT JUDGE

3-11-02

DEFENDANT FIA FOR
ISSUE W.O.A.Review - failed to pay bills
& charged with new offense

Smg

3-25-02

Capias. Issued

4-19-02

Capias executed. File sent to Judge's Office

24

State of Alabama
Unified Judicial SystemCASE ACTION SUMMARY
CONTINUATION

Case Number

cc 97-1985

Form C-7

Rev 2/79

Style:

STATE OF ALABAMA v.

Warren Jayce

Page Number

of

Pages

DATE

ACTIONS, JUDGMENTS, CASE NOTES

4/29/02

Delinquency report filed by the Court and based on the record Defendant is declared delinquent and ~~is~~ for.

- ☐ Failure to report
- ☒ Failure to pay court ordered monies
- ☐ Failure to pay supervision fees
- ☒ Arrested on new charges
- ☐ Failure to avoid injurious habits
- ☐ Changing residences without permission
- ☒ Failure to comply with Court orders - Appear for Review
- ☐ Failure to attend and/or complete program on 3-11-02

SMG

JUDGE SALLY GREENHAW

4-29-02

A shall remain in delinquent status
pending outcome of new
charges

SMG

ACSO370
OPER: JAG
PAGE: 1ALABAMA JUDICIAL INFORMATION SYSTEM
3E ACTION SUMMARY
CIRCUIT CRIMINAL

RUN DATE: 09/17/97

JUDGE: SMO

IN THE CIRCUIT COURT OF MONTGOMERY

STATE OF ALABAMA

VS

JOYCE DARRYL JEWON
320 BITFORD WAY

25

SE: CC 97 001934.00

MONTGOMERY, AL 36103 0000

DOB: 12/30/77 SEX: M RACE: B HT: 6 01 WT: 155 HR: EYES:
SSN: 421313693 ALIAS NAMES: ACS 183316CHARGE1: ASSAULT 2ND DEGREE CODE1: ASS2 LIT: ASSAULT 2ND DEG TYP: F
MORE?: OFFENSE DATE: 06/02/97 AGENCY/OFFICER: MMFD HILLDATE WAR/CAP ISS: DATE ARRESTED: 07/09/97
DATE INDICTED: 09/12/97 DATE FILED: 09/17/97
DATE RELEASED: 07/09/97 DATE HEARING:
BOND AMOUNT: \$10,000.00 SURETIES: INDIVIDUALDATE 1: DESC: TIME: 0000
DATE 2: 09/25/97 DESC: ATTY TIME: 1000 ADEF/ATTY: Wiley Hootley
PROSECUTOR: BODNE, CAROL J

TYPE: A

TYPE:

OTH CSE: 9700388800 CHK/TICKET NO: GRAND JURY: 266
COURT REPORTER: SID NO: 01342224
DEF STATUS: BOND DEMAND: *Apr 14* OPER: JAG

DATE ACTIONS, JUDGEMENTS, AND NOTES

DATE	ACTIONS, JUDGEMENTS, AND NOTES
9-29-97	Motion for Consolidation of Cases
9-30-97	Order for Consolidation of Cases
11-17-97	Continued, no medical records

RECEIVED

8-19-03

BIRCHIT COURT CLERK

27

State of Alabama Unified Judicial System Form C-7 Rev 2/79	CASE ACTION SUMMARY CONTINUATION	Case Number CC-9 <u>7-1984</u>
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Style: STATE OF ALABAMA V. Daryl Soyce Page Number of Pages

DATE	ACTIONS, JUDGMENTS, CASE NOTES
<u>1/22/98</u> <u>Dec 8 98</u> <u>1-26</u> <u>Cont</u>	<p>Defendant & attorney appeared for sentencing. Court asked if he/she had anything to say why sentence should not now be pronounced and Defendant having his/her say, it is ORDERED:</p> <p>HOA Enhancements Applicable <u>Yes</u>/No Defendant Admits <u>✓</u> State Proves <u>2</u> Priors</p> <p>Sentenced to <u>1.5</u> yrs./split to serve <u>3</u> yrs. <u>reverse split postpone</u> review <u>Concurrent 97-198.5</u> Consecutive <u>✓</u> to any with other cases other cases</p> <p>SUSPENDED YES/NO SUPERVISED/COURT PROBATION <u> </u> years LEVEL II <u> </u> Monitor <u> </u></p> <p>ENHANCEMENTS - Weapons <u> </u> years Drug - <u> </u> years School/Public Housing <u> </u> years Sale under 18 \$1000/2000 Fine <u> </u> Remit portion completion SAP <u> </u> Driver License suspended 6 mo.</p> <p>GED <u> </u> BootCamp <u> </u> /SAP <u> </u> /Chain Gang <u> </u> Work Release <u> </u> Frank Lee <u> </u> /Employment <u> </u> Community Service <u> </u> hrs.at <u> </u> /PO Select Review upon completion - Yes</p> <p>Other - <u>No contact w/ V's</u> <u>Anger Management</u></p> <p><u>Reserve jurisdiction over restitution</u> Restitution \$ <u>12,964.00</u> Fine \$ <u> </u> to <u>revoke</u> <u>Crime Victim \$25.00/\$50.00/8</u> Ct. Costs <u>✓</u> <u>concurrent</u> <u>Attorneys Fees \$150.00</u> Attorney/GAL Fees <u> </u> <u>w/ older</u> <u>Payment \$</u> Mo/Wk Begin <u> </u> / <u> </u> /98 OR <u>cases</u> 1/2 monies earned <u>✓</u> Review <u>Review</u></p> <p>Defendant advised rt. appeal, credit time served Appeal Bd. set \$ <u> </u>. JUDGE SALLY GREENHAW <u>SMG</u></p>

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State of Alabama
Unified Judicial SystemCASE ACTION SUMMARY
CONTINUATIONCase No. CC 97-1984 CR

Jrm C-7 Rev 2/79

Style:

State v

Wesley Jayce

Page Number

of

Pages

DATE

ACTIONS, JUDGMENTS, CASE NOTES

1-4-02

205 in this matter

DEFENDANT APPEARED FOR REVIEW.

COPY OF ORDER TO APPEAR ON

3/11/02 GIVEN TO DEFENDANT

8 30

IN OPEN COURT.

SMG

SALLY GREENHAW, CIRCUIT JUDGE

3-11-02

DEFENDANT FTA FOR
ISSUE W.O.A.Review, failed to pay COMs
+ charged with new
SMG offense

2-25-02

Capias issued

4-19-02

Capias executed. File sent to Judge's Office

29

State of Alabama
Unified Judicial SystemCASE ACTION SUMMARY
CONTINUATION

Case Number

cc 97-1984

Form C-7

Rev 2/79

Style:

STATE OF ALABAMA v.

Darryl J. Jeter

Page Number

of

Pages

DATE

ACTIONS, JUDGMENTS, CASE NOTES

4/29/02

Delinquency report filed by the Court and based on the record Defendant is declared delinquent and ~~arrested~~ for:

- ☐ Failure to report
- ☒ Failure to pay court ordered monies
- ☐ Failure to pay supervision fees
- ☒ Arrested on new charges
- ☐ Failure to avoid injurious habits
- ☐ Changing residences without permission
- ☒ Failure to comply with Court orders - Appeared for Review
- ☐ Failure to attend and/or complete program

on 3-11-02

SMG

JUDGE SALLY GREENHAW

4-29-02

A shall remain in delinquent state pending outcome of new charges

SMG

30

AC50370 ALABAMA JUDICIAL INFORMATION CENTER

CASE ACTION SUMMARY
CIRCUIT CRIMINAL

CASE: CC 96 001980 00

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY
STATE OF ALABAMA

VS

JOYCE DARRYL JEVON
320 BITFORD WAY

JUDGE: SFG

CASE: CC 96 001980.00

MONTGOMERY, AL 36108 0000

DOB: 12/30/77 RACE: B SEX: M
SSN: 421313693 ALIAS NAMES:

HT: 5 00 WT: 150 HR: EYE:

CHARGE1: ASSAULT 2ND DEGREE
CHARGE2:
CHARGE3:
MORE?:CODE1: ASS2 LIT: ASSAULT 2ND DEG TYPE: F
CODE2: TYPE:
CODE3: TYPE:

OFFENSE DATE: 07/22/96 AGENCY/OFFICER: MMPD CUNNING

DATE WAR/CAP ISS:
DATE INDICTED: 09/13/96
DATE RELEASED:
BOND AMOUNT: \$10,000.00DATE ARRESTED: 08/02/96
DATE FILED: 10/02/96
DATE HEARING:
SURETIES:DATE 1: DESC: TIME: 0000
DATE 2: 10/24/96 DESC: ATTY TIME: 1000 ADEF/ATY:
PROSECUTOR:*Winston Durant W. Hartley*
TYPE: *A*

TYPE:

OTH CSE: 9600368400

CHK/TICKET NO:

GRAND JURY: EG

COURT REPORTER

SID NO: 01342224

DEF STATUS: JAIL

DEMAND:

OPID: RES

DATE

ACTION, JUDGMENTS, CASE NOTES

10-2-96

X DEF IN JAIL 10/1/96*X* NEED 72 HR HEARING
PURSUANT TO RULE 4.4

10-4-96

DEFENDANT APPEARED IN OPEN COURT IN ACCORDANCE
WITH RULE 4.3(b)(1) ALA. C.R.P. THE COURT ADVISED THE
DEFENDANT OF THE CHARGES AGAINST HIM/HER, INFORMED
DEFENDANT OF ALL MATTERS REQUIRED BY RULE 4.4, AND
DETERMINED CONDITIONS OF RELEASE AS REQUIRED BY
RULE 7.3 AND 1983 ALA. ACTS 677.*Appoint W. Durant*
Sally Greenhaw
SALLY GREENHAW, CIRCUIT JUDGE

10-24-96

W. Hartley Retained Appointed

2-26-97

Case continued to 3-3-97. SFG

RECEIVED

8-19-03

CLERK

State of Alabama
Supreme Court
Dept. of Court Mgmt.

Form SC-C-7 11-77

CASE ACTION SUMMARY
CONTINUATION

Case Number

CC 9 6-1980
IC VS NumberSTATE VS. Darryl Joyce

Page Number

DATE

ACTIONS

3/1/95

V.O.A.

GRANTED NO

1/95

State's Motion to Amend Count

3/4/95

The Defendant comes before the Court with counsel of record. The court on the record, fully explained to Defendant all Constitutional rights. The court is convinced that Defendant comes into the Court voluntarily and understands all Constitutional rights. Exhibit A is signed by Defendant and the Record affirmatively shows colloquy between the Judge and Defendant as to Defendant's full and complete understanding as to Constitutional rights and as to all the waivers that a guilty plea effects and the consequences thereof. Upon the conclusion of said colloquy the Court accepts the guilty plea and finds the Defendant guilty and enters a judgment of guilt to the charge of Assault II

Notice of EOA/Disc Enhancements given

P.S.I. ORDERED/WAIVEDSentencing date is 3/17/95

Snc

SALLY GREENEAW, CIRCUIT JUDGE

State of Alabama
Supreme Court
Dept. of Court Mgmt.

Form SC-C-11.7

CASE ACTION SUMMARY CONTINUATION

Case Number

CC 96-198
IC 96-198
YA 96-198
Name

32

Darryl Jayce

Page Number

DATE

ACTIONS

3-7-97

Defendant appeared with attorney for sentencing. Court having asked if he/she had anything to say as to why sentence should not now be pronounced and Defendant having his/her say, it is ORDERED:
Plea Agreement-

*2nd
3-10-97*

Sentenced to 10 years/split to serve 3 years suspended
reverse split postpone review

Concurrent PROBATION/SUPERVISED 3 years/months/Court
Level I Monitor

*comp
p.o.*

Enhancements: NON Defendant Admits 94-2506 refused
State Proved _____ Priors

Weapons _____ years
Drug - _____ years School/Public Housing
years Sale under 18

\$ _____ Fine
YES _____ Ramic portion upon completion SAP
YES _____ Driver License suspended 6 mo

BootCamp _____/SAP _____/Chain Gang _____/Work Release
Frank fee _____/Other _____ Review upon completion Yes/No

GED X Employment _____ Community Service 150 hours
Other Anger Management Program & ordered to avoid all
Restitution \$ offer credit will be taken
Fine \$ offer

Crime Victim \$25.00/\$50.00/\$

Court Costs to be determined by Clerk

Attorneys Fees \$150.00/To Be Submitted - GAL Fees
Payment 50 10/week beginning March 2007 or
1/2 monies earned

Defendant advised of right to appeal, credit to be given
as allowed by law for time served. Appeal Bond set \$ _____.

SALLY GREENHAW, JUDGE

SME

*9-12-97
1-20-98*

To remain on probation on this case, split
sentence imposed in 94-2506 SME

4-02 I appeared EOS in other matters
Review 3-11-02 @ 830

33

State of Alabama
Unified Judicial System

Form C-7

Rev 2/79

CASE ACTION SUMMARY
CONTINUATION

Case Number

cc 96-1980 GR

Style:

STATE OF ALABAMA vs.

Page Number _____ of _____ Pages

DATE

ACTIONS, JUDGMENTS, CASE NOTES

3-11-02

DEFENDANT FTA FOR
ISSUE W.O.A.Review, pay Com + charged
with new offense

smg

3-25-02

Capias issued

4-19-02

Capias executed. A/c sent to Judge's Office

SMC

CASE: CC 94 00550 01

JUDGE JEW

VS

MONTGOMERY AL 3-105-0000

July 24 ~~Apr. 20~~
~~June 12~~

12-14-94: wls

12-14-94 App 40A

5.30.95: Motion for Consolidation of Cases

6-6-95 : " " " " " granted (Sme)

6-12-95 Defendant FTA for Trial, F+G

JUDGE SALLY GREENHAW

6.15.95 Under Promotions Motion is Consolidate

6-22-95: Capias issued EN 7-3-95 file to Quid

7-6-95: F+C set aside 3MG

7-24-95: Application for YOB

7-24-95 Defendant comes before the court with his attorney of record. The Court on the record, fully explained to Defendant all Constitutional rights. The court is convinced that Defendant comes into the Court voluntarily and understands all Constitutional rights. Exhibit A is signed by Defendant and the record affirmatively shows colloquy between the Judge and Defendant as to Defendant's full and complete understanding as to Constitutional rights and as to all of the waivers that a guilty plea effects and the consequences thereof. Upon the conclusion of said colloquy the Court accepts the guilty plea and finds the Defendant guilty and enters a judgment of guilt.

Sentencing date 11/1/83

P.S.I. ORDERED

8-19-03

**SALLY GREENHAW,
CIRCUIT JUDGE**

36

State of Alabama
Supreme Court
Dept. of Court Mgmt.CASE ACTION SUMMARY
CONTINUATION

Case Number

CC-94-2506

ID VR Number

Form SC-C-7 11-77

DARRYL JOYCE

Page Number

DATE	ACTIONS
8/3/95	<p>The Court having considered the defendant and considered the report of investigation of the defendant as required by Ala. Code §15-19-1 (1978); it is ORDERED that the defendant's request to be taken as a potential offender is <u>DENIED</u>.</p> <p><i>SALLY GREENHAW, CIRCUIT JUDGE</i></p>
8/3/95	<p>Defendant appeared with attorney of record for sentencing. The Court having asked the Defendant if he had anything to say as to why the sentence of law should not now be pronounced upon him and Defendant having his say it is ORDERED:</p> <ol style="list-style-type: none"> 1. Defendant sentenced to 10 years split, to serve 2 years at DOC, the first 180 days of which will be served at Boot Camp and placed on 5 years supervised probation following incarceration. To be reviewed upon successful completion of Boot Camp. 2. Pay court costs. 3. Reimburse the State \$150.00 attorney fees. 4. Pay \$50.00 CVCF. 5. Restitution - remain open at this time. <p>Advised of right to appeal.</p> <p><i>SALLY GREENHAW, CIRCUIT JUDGE</i></p>
1/4/96	<p>Defendant and counsel of record appeared for Review Hearing following successful completion of Boot Camp. On recommendation of PO it is ORDERED:</p> <ol style="list-style-type: none"> 1. Sentence suspended and placed on probation the first portion of which is to be served on the Level I Monitor Probation. 2. Enroll in GED program and obtain diploma. 3. Seek and maintain employment. 4. Perform 100 hours of community service. 5. Pay \$25.00 per month beginning 3/1/96 toward COMs. <p><i>SALLY GREENHAW, CIRCUIT JUDGE</i></p>
1-8-96	<p>Probation Release Notice to Doc</p>

State of Alabama
Supreme Court
Dept. of Court Mgmt.

CASE ACTION SUMMARY
CONTINUATION

37
Case Number

Form SC-C-7 11-77

CC 95-250
ID YR Name

Daniel Jayce

Page Number

DATE

ACTIONS

10-31-96 Delinquency report filed by P.O. Officer and based on testimony of P.O. Officer Defendant declared delinquent and **ARREST ORDERED** for:

1. Failure to report
2. Failure to pay court order monies
3. Failure to pay supervision fees
4. Arrested on new charges
5. Failure to avoid injurious habits
- 6.
- 7.
- 8.

Defendant appeared with attorney and was orally informed of the delinquency charges and also provided with a written statement of the charges, the disclosure of the evidence, the opportunity to be heard, to present witnesses and documentary evidence, to confront and cross-examine witnesses. Defendant **ADMITTED** charges, or Defendant **DENIED** charges and a revocation hearing is set for _____.

JUDGE SALLY GREENHAW

10-31-96 Δ to remain in delinquent status p

3-7-97 Δ's probation is reinstated & Δ is released, same

CASE ACTION SUMMA...
CONTINUATION

Form SC-C-7 (11-77)

CC 94-2506
IC TR Number

Darryl Jayce

Page Number

DATE

ACTIONS

8-27-97

Delinquency report filed by P.O. Officer and based on testimony of P.O. Officer Defendant declared delinquent and ARREST ORDERED for:

1. Failure to report
2. Failure to pay court order monies
3. Failure to pay supervision fees
4. Arrested on new charges
5. Failure to avoid injurious habits
- X 6. Conviction
- 7.
- 8.

9-12-97

Defendant appeared with attorney and was orally informed of the delinquency charges and also provided with a written statement of the charges, the disclosure of the evidence, the opportunity to be heard, to present witnesses and documentary evidence, to confront and cross-examine witnesses. Defendant ADMITTED X charges, or Defendant DENIED charges and a revocation hearing is set for

probation revoked and split sentence imposed

Sally Greenhaw
JUDGE SALLY GREENHAW

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CASE ACTION SUMMARY
CRIMINAL

PAGE 33 95 000132 00

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY JUDGE SMC
 STATE OF ALABAMA VS JOYCE DARRYL
 320 BITFORD WAY DRIVE
 MONTGOMERY AL 36102-0000

DOB: 12/30/71 RACE: B SEX: M HT: 510 WT: 145 HAIR: BROWN EYE: BROWN
 SSN: 421212693 ALIAS NAMES:

CHARGE 1: DISCHARGE GUN OCC BLDG VEHICLE CODE 1: DSF1 LIT DISCHARGE GUN OCC 1: 11/23/94
 CHARGE 2: CODE 2: 0000
 CHARGE 3: CODE 3: 0000
 AGENCY OFFICER: MOSS

DATE WAR/CAP ISS: 11/23/94 DATE ARRESTED: 11/23/94
 DATE INDICTED: 01/13/95 DATE FILED: 01/18/95
 DATE RELEASED: 11/23/94 DATE HEARING: 11/23/94
 BOND AMOUNT: \$5,000.00 SURETIES: INDIVIDUAL

DATE 1: 01/25/95 DESC: 0000 TIME: 0000
 DATE 2: 01/25/95 DESC: ARRG TIME: 0830 A

DEPUTY: Wiley Hartley TYPE: PROSECUTOR: Hitson Winston Duane

OTH CSE: 9400476400 CHA/TICKET NO: GRAND JURY: 310
 COURT REPORTER: SID NO:
 DEF STATUS: BOND JURY DEMAND: OPID: FAS

DATE ACTIONS, JUDGMENTS, CASE NOTES

July 24 April 12
 June 12

1-25-95 w/14 filed

5-30-95 Motion for Consolidation of Cases

6-6-95 " " " " granted (SMB)

6-12-95 Defendant FTA for Trial; F+C

JUDGE SALLY GREENHAW

6-22-95 Capias issued Ex. 7-395 file sent to Judge

7-6-95 F+C set aside SMB

7-24-95 State's Oral motion to Nolle Pro. Ordered
 ✓ granted

JUDGE SALLY GREENHAW

10-3-96 Remains a delinquent status - Review
 30 days

RECEIVED

8-19-03

RECEIVED

40

VICTIM IMPACT STATEMENT

YOUR HONOR,

I will try to find words to describe how my son's murder has impacted my life. There are no adequate words to describe the pain, the anger, the despair that I have felt since JAMES was murdered. There is no way to put my shattered world back together since the biggest piece is missing. James, my precious son was my world.

James was A loving ,giving man with A heart as big as the world. I watch helplessly as all the members of our family struggle with the pain, anger and grief. James' murder took everything from me. It took my joy, my security, my rest, my future grandchildren, my peace, and my ability to enjoy anything, it also took my comfort in my old age.

It gave me sleepless nights, nightmares, night terrors, panic attacks and post traumatic stress disorder. It gave me depression and A struggle to find A reason to survive each day. It gave me tears and more tears, pain and more pain beyond my imagination. It covered my world in sadness and anger. It destroys my health A little at A time.

There is not one second that I don't long for him, he is my first thought when I awake, my final thought at night and all my thoughts throughout the day. There is not one day that I don't see his blood spilled or his cold dead body in that casket and live with the horror my son must have endured that night, the betrayal he must have felt when he realized that someone he knew could

RECEIVED
8-19-03
BIRMINGHAM COUNTY CLERK

41

take his life without any reason or provocation. The helplessness he must have felt at that moment haunts me everyday.

The emotional and psychological scars on our family's souls will never heal. James' four children: 6 year old labresha, 4 year old twins jamaine & james, And 3 year old tamaine, will grow up without feeling the love and guidance from the father that worshipped them. Even today they cannot come into my home Without crying, they can't stand not being able to see him here.

Judge, I now ask you to sentence the murderer of my son james, to the maximum penalty allowed. This murderer had been released from prison in November for A violent crime and he murdered my son 3 months later.

This murderer was convicted by A jury, another extreme emotional trauma the victim's family must suffer in silence throughout, therefore I beg of you not to give this murderer A chance to send another victim's family into this living nightmare of pain and agony.

THANK-YOU & GOD BLESS YOU

SALLIE FRIENDLY(mother of james)

1101 Fleming Rd. 42
Montgomery, Al.
36105

To whom it may concern:

I am Sally Friendly, the mother of the deceased James Friendly. The Bible says thou shalt not kill. On behalf of my son I do not wish the death penalty for the person that took my son's life but I do not want him to get out. I want him to get life without parole because he should have face the truth that he had taken my son's life and gave up not running away. I am begging that you take this in consideration and keep this person behind bars forever.

Someone that loved
him more than his own life.

43

Dear Judge

I'm a family member of James Spensley and I'm writing you today to ask to you give this man who killed my love one the maximum sentence of life because James did not deserve to die the way he did and what he did over was foolishness and if the can kill someone over nonsense it could be over for the next person for less then that. James wasn't a Angel but compared to his killer he's a saint. James had a lot of good qualities. He had a great personality, he was a good father who took time out with his kids, he played on his daughter school fathers basketball team he loved his kids and they loved him. The oldest kid is having a real hard time right now

We can't mention his name
around her she's a little
girl without her father two
boys without their father and
a mother without her son.
The defendant mother can
visit her son in prison
but James family has to
go to a grave yard to see
him were we get no response
of how he's doing, do he need
anything. It's not fair that
he had to be taken at such
a young age that he could
not see his kids grow up
enjoy grandkids see his
daughter get married. If James
can't get to enjoy these things
then his killer should not
get to enjoy them either.
If this man is allowed to
get out to enjoy life someone
else will not get to enjoy
theirs. Judge please give
James his justice so he
can rest in peace now

His family love him and
always will all we can
do now is look at pictures
and talk about memories
of him and make sure his
kids know that their father
was. James is missed by
everyone who knew him.

The Family of James
Friends
Naomi Jordan
Lovingly Friendly

1374
STATE OF ALABAMA

PLAINTIFF

VS.

DARRYL J. JOYCE

DEFENDANT

* IN THE CIRCUIT COURT OF

* MONTGOMERY COUNTY,

* STATE OF ALABAMA

* CRIMINAL DIVISION

* CASE NO. CC- 2002- 1417 TMH

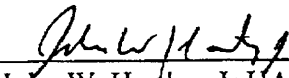
MOTION TO WITHDRAW AND REQUEST FOR COUNSEL ON APPEAL

Comes now the undersigned counsel, John W. Hartley, Jr., and respectfully requests that this Honorable Court allow him to withdraw as counsel for the Defendant and as for grounds states the following:

1. I represented the Defendant in this case as appointed counsel and the defendant has given Notice Of Appeal.

Wherefore the premises considered counsel requests this Honorable Court to allow him to withdraw from this matter.

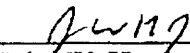
Respectfully submitted this the 16th day of September, 2003.

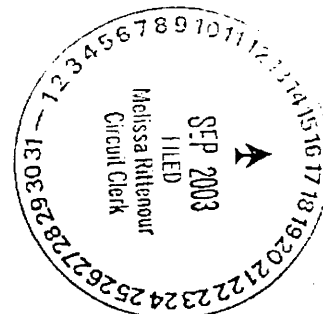

John W. Hartley, Jr HAR 060

Attorney for the Defendant
312 Scott Street
Montgomery, Alabama 36104
(334) 269-9157

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Motion upon the District Attorney for Montgomery County, by placing a copy of the same in her box located in the Circuit Clerk's Office in the Montgomery County Courthouse, on this the 16th day of Sept. 2003


John W. Hartley, Jr



47


IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

STATE OF ALABAMA,	*	
Plaintiff,	*	
v.	*	CASE NO. CC-02-1417 TMH
DARRYL J. JOYCE,	*	
Defendant.	*	

ORDER

This cause is before the Court on a Motion To Withdraw filed by the Honorable Wiley Hartley. The Court having considered the matter it is ORDERED that Mr. Hartley's Motion to Withdraw is granted and the Honorable Aimee C. Smith is appointed to represent Defendant on appeal of this matter.

DONE this the 17th day of September, 2003.


TRUMAN M. HOBBS, JR.
CIRCUIT JUDGE

copies:

Wiley Hartley, Esq.
Aimee C. Smith, Esq.
Ben Shoettker, D.D.A.

RECEIVED
9-16-03
CIRCUIT COURT CLERK

48

ACR359

ALABAMA JUDICIAL DATA CENTER
MONTGOMERY COUNTY
TRANSCRIPT OF RECORD
CONVICTION REPORT

CC 2002 001417.00 01
TRUMAN M HOBBS

CIRCUIT COURT OF MONTGOMERY COUNTY		COURT ORI: 003045 J	
STATE OF ALABAMA VS.		DC NO: GJ 2002 110241.00	
JOYCE DARRYL JEVON	ALIAS: FAULK WILLIE	LG J: 241	
320 BITFORD WAY	ALIAS: PONCHO	SSN: 421313693	
MONTGOMERY AL 36108		SID: 001342224	
		AIS:	
DOB: 12/30/1977	SEX: M	HT: 5 11	WT: 150
RACE: ()W (X)B ()O	COMPLEXION:	HAIR: BLK	EYE: BRO
		AGE:	FEATURES:
DATE OFFENSE: 02/01/2002		ARREST DATE: 02/11/2002	
		ARREST ORI: C030100	
CHARGES @ CONV	CITES	CT CL COURT ACTION	CA DATE
MURDER	13A-006-002	01 A CONVICTED	07/22/2003
		00	00/00/0000
		00	00/00/0000
JUDGE: TRUMAN M HOBBS		PROSECUTOR:	
PROBATION APPLIED	GRANTED	DATE	REARRESTED DATE
()Y()N	()Y()N	()Y()N	REVOKED DATE
()Y()N	()Y()N	()Y()N	()Y()N
15-18-8, CODE OF ALA 1975	IMPOSED	SUSPENDED	TOTAL
()Y (X)N CONFINEMENT:	00 00 000	00 00 000	00 00 000
PROBATION :	00 00 000	00 00 000	00 00 527
DATE SENTENCED: 08/18/2003	SENTENCE BEGINS: 08/18/2003		
PROVISIONS	COSTS/RESTITUTION	DUE	ORDERED
PENITENTIARY	RESTITUTION	\$7651.50	\$7651.50
LIFE WO PAROL	ATTORNEY FEE	\$0.00	\$0.00
HABITUAL OFDR	CRIME VICTIMS	\$50.00	\$50.00
	COST	\$1623.00	\$1623.00
	FINE	\$0.00	\$0.00
	MUNICIPAL FEES	\$0.00	\$0.00
	DRUG FEES	\$0.00	\$0.00
	ADDTL DEFENDANT	\$0.00	\$0.00
	DA FEES	\$0.00	\$0.00
	COLLECTION ACCT	\$0.00	\$0.00
	JAIL FEES	\$0.00	\$0.00
	TOTAL	\$9324.50	\$9324.50
APPEAL DATE	SUSPENDED	AFFIRMED	REARREST
()Y()N	()Y()N	()Y()N	()Y()N
REMARKS:		THIS IS TO CERTIFY THAT THE	
		ABOVE INFORMATION WAS EXTRACTED	
		FROM OFFICIAL COURT RECORDS	
		AND IS TRUE AND CORRECT.	
DEFENDANT SENTENCED TO LIFE W/OUT PAROLE.			
MELISSA RITTENOUR(CC)			
08/26/2003			

OPERATOR: DBH
PREPARED: 08/26/2003

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ACR371

ALABAMA JUDICIAL DATA CENTER

NOTICE OF APPEAL TO THE ALABAMA COURT OF CRIMINAL APPEALS

BY THE TRIAL COURT CLERK

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY

STATE OF ALABAMA VS JOYCE DARRYL JEVON

JUDGE: TRUMAN M HOBBS

APPEAL DATE: 08/18/2003

INDIGENCY STATUS:

GRANTED INDIGENCY STATUS AT TRIAL COURT:

APP. TRIAL COUNSEL PERMITTED TO W/D ON APPEAL:

INDIGENT STATUS REVOKED ON APPEAL:

INDIGENT STATUS GRANTED ON APPEAL:

<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO

DEATH PENALTY: NO

APPEAL TYPE: STATE CONVICTION

THIS IS AN APPEAL FROM A CONVICTION.

DATE OF CONVICTION: 07/22/2003

DATE OF SENTENCE: 08/18/2003

YOUTHFUL OFFENDER STATUS: DENIED

OO/CASE NUMBER: 03/CC 2002 001417.00

CODE: MURD CONVICTION: MURDER

ACTION: CONVICTED

STATUTE: 13A-006-002

SENTENCE: CONF: 00 YRS 00 MOS 000 DAYS

SENTENCE: FROB: 00 YRS 00 MOS 000 DAYS

LIFE: NO LIFEWD: YES

POST-JUDGMENT MOTIONS FILED:

DT FILED

DT DENIED

CON BY AGREE

___ MOTION FOR NEW TRIAL

___ MOTION FOR JUDG. OF ACQUIT

___ MOTION TO W/D GUILTY PLEA

___ MOTION FOR ATTY TO W/DRAW

___ OTHER

COURT REPORTER (S):

ADDRESS:

SHELTON, JUDY

JUDGE TRUMAN M HOBBS JR

MONTGOMERY, AL 36104

APPELLATE COUNSEL #1:

ADDRESS:

HARTLEY JOHN W JR

312 SCOTT ST.

PHONE NUMBER:

MONTGOMERY, AL 36104

205-269-9157

APPELLATE COUNSEL #2:

ADDRESS:

PHONE NUMBER:

APPELLANT (PRO SE):

ADDRESS:

JOYCE DARRYL JEVON

320 BITFORD WAY

MONTGOMERY, AL 361080000

AIS #:

APPELLEE (IF CITY APPEAL):

ADDRESS:

I CERTIFY THAT THE INFORMATION PROVIDED
 ABOVE IS ACCURATE TO THE BEST OF MY
 KNOWLEDGE AND I HAVE SERVED A COPY OF
 THIS NOTICE OF APPEAL ON ALL PARTIES TO
 THIS ACTION ON THIS 27th DAY OF August, 2003

 OPERATOR: DBH
 PREPARED: 08/27/2003

 Melisa Pittman
 CIRCUIT COURT CLERK

State of Alabama Unified Judicial System Form ARAP-1C 8/91	REPORTER'S TRANSCRIPT ORDER -- CRIMINAL See Rules 10(c) and 11(b) of the Alabama Rules of Appellate Procedure (A.R. App.P.)	Criminal Appeal Number <u>CR - 02-2104 TH</u>
--	--	--

TO BE COMPLETED BY COUNSEL FOR THE APPELLANT OR BY THE APPELLANT IF NOT REPRESENTED AND FILED WITH THE WRITTEN NOTICE OF APPEAL OR FILED WITHIN 7 DAYS AFTER ORAL NOTICE OF APPEAL IS GIVEN.

☒ CIRCUIT COURT ☐ DISTRICT COURT ☐ JUVENILE COURT OF Montgomery COUNTY
Darryl Jevon Joyce, Appellant
V. ☒ STATE OF ALABAMA ☐ MUNICIPALITY OF _____

Case Number <u>CC-02-1417</u>	Date of Judgment/Sentence/Order <u>8-18-03</u>
Date of Notice of Appeal Oral: <u>8-18-03</u> Written: _____	Indigent Status Granted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

PART 1. TO BE SIGNED IF THE APPEAL WILL NOT HAVE A COURT REPORTER'S TRANSCRIPT:

I CERTIFY THAT NO REPORTER'S TRANSCRIPT IS EXPECTED AND THAT THE RECORD ON APPEAL SHALL CONSIST OF THE CLERK'S RECORD ONLY. IF THE APPEAL IS FROM DISTRICT COURT OR JUVENILE COURT, I ALSO CERTIFY (1) THAT A STIPULATION OF FACTS WILL BE INCLUDED IN THE CLERK'S RECORD AND THAT THE APPELLANT WAIVES HIS RIGHT TO A JURY TRIAL IF SO ENTITLED; OR (2) THAT THE PARTIES HAVE STIPULATED THAT ONLY QUESTIONS OF LAW ARE INVOLVED AND THAT THE QUESTIONS WILL BE CERTIFIED BY THE JUVENILE/DISTRICT COURT FOR INCLUSION IN THE CLERK'S RECORD (SEE RULE 28(A)(1), ALABAMA RULES OF JUVENILE PROCEDURE, AND §12-12-72, CODE OF ALABAMA 1975)

Signature _____ Date _____ Print or Type Name _____

PART 2. DESIGNATION OF PROCEEDINGS TO BE TRANSCRIBED. Request is hereby made to the court reporter(s) indicated below for a transcript of the following proceedings in the above referenced case (see Rule 10(c)(2), Alabama Rules of Appellate Procedure (A.R. App.P.)):

MARK PROCEEDINGS REQUESTED:

- A. ☒ **TRIAL PROCEEDINGS** - Although this designation will include the judge's oral pronouncement of sentence, a transcript of the organization of the jury and argument of counsel must be designated separately.
- B. ☐ **ORGANIZATION OF THE JURY** - This designation will include voir dire examination and challenges for cause. Note that in noncapital cases the voir dire of the jury will not be recorded unless the trial judge so directs. (See Rule 19.4, ARCP)
- C. ☐ **ARGUMENTS OF COUNSEL** - Note that in noncapital cases the arguments of counsel will not be recorded unless the trial judge so directs. (See Rule 19.4, ARCP)

COURT REPORTER(S)
Judy Shelton
Judge Truman M Hobbs Jr
Montgomery, AL 36104

IN ADDITION TO ANY PROCEEDINGS DESIGNATED ABOVE, SPECIAL REQUEST IS HEREBY MADE TO INCLUDE THE FOLLOWING PROCEEDINGS IN THE REPORTER'S TRANSCRIPT PORTION OF THE RECORD ON APPEAL. (ATTACH ADDITIONAL PAGES IF NECESSARY):

ADDITIONAL PROCEEDINGS REQUESTED	DATE	COURT REPORTER(S)
D. _____	_____	_____
E. _____	_____	_____
F. _____	_____	_____
G. _____	_____	_____

IMPORTANT NOTICE: The court reporter who reported the proceedings for which a transcript is requested must be identified on this form to be effective. Additionally, it is important to note that the appellant may not be permitted to raise any issue on appeal relating to any proceedings in the case that are not specifically designated on this form for inclusion in the reporter's transcript. A general designation such as "all proceedings" is not sufficient. (See Rule 10(c)(2), A.R. App.P.)

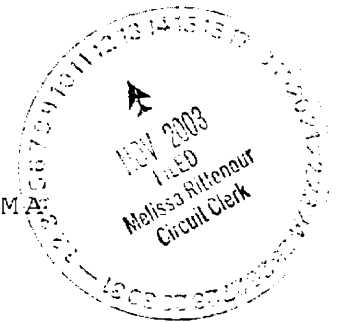
PART 3. MUST BE SIGNED IF THE APPEAL WILL HAVE A COURT REPORTER'S TRANSCRIPT:

I CERTIFY THAT I HAVE DISTRIBUTED THIS FORM AS SET OUT BELOW. I ALSO CERTIFY (1) THAT I HAVE MADE SATISFACTORY FINANCIAL ARRANGEMENTS WITH EACH COURT REPORTER LISTED ABOVE FOR PREPARING HIS OR HER PORTION OF THE REPORTER'S TRANSCRIPT HEREIN REQUESTED; OR (2) THAT THE APPELLANT PROCEEDED AT TRIAL AS AN INDIGENT AND THAT THAT STATUS HAS NOT BEEN REVOKED; OR (3) THAT THE APPELLANT HAS BEEN GIVEN PERMISSION TO PROCEED ON APPEAL IN FORMA PAUPERIS.

Signature Aimee C. Smith Date 10-1-03 Print or Type Name AIMEE C. SMITH

DISTRIBUTION: Original filed with Clerk of Trial Court and copies mailed to: (1) Clerk of the Court of Criminal Appeals, (2) the District Attorney, (3) the Attorney General or the municipal prosecutor in lieu of the District Attorney and the Attorney General if the appeal is from a municipal conviction, and (4) to each Court Reporter who reported proceedings designated for inclusion in the reporter's transcript.

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IN THE CIRCUIT COURT OF
MONTGOMERY COUNTY, ALABAMA

STATE OF ALABAMA,)
Plaintiff,)
VS.) CC NO. 02-1417
DARRYL J. JOYCE,)
Defendant.)

INDEX TO REPORTER'S TRANSCRIPT ON APPEAL

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✓ SX 11 - Photograph	252

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STATE'S
EXHIBIT

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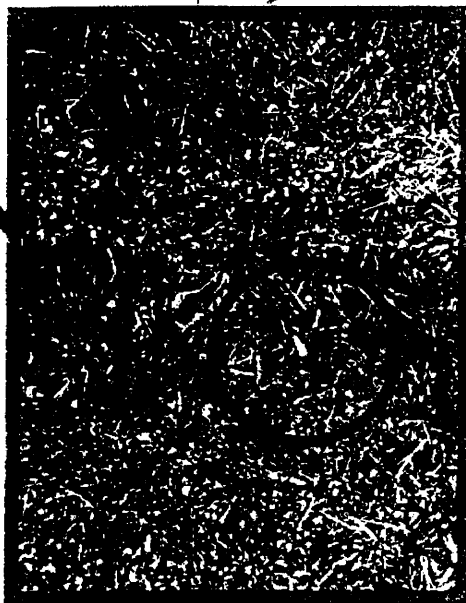
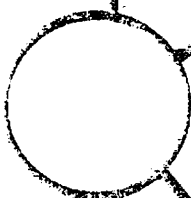
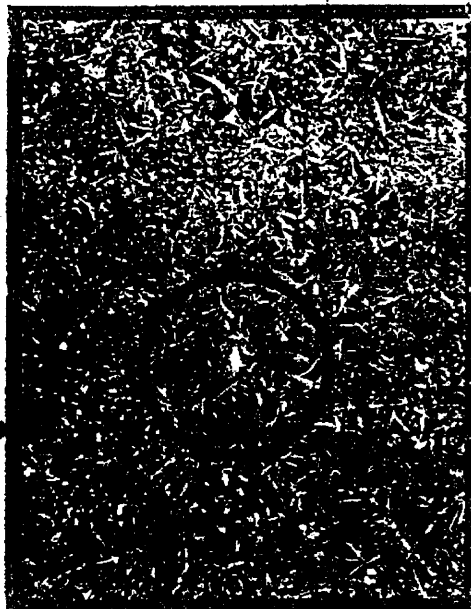
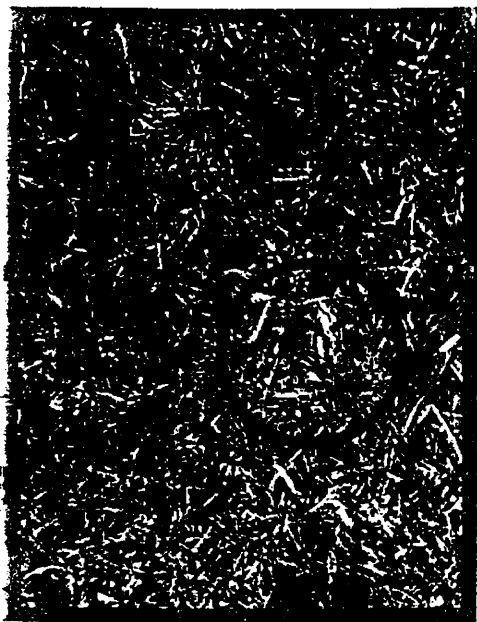
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4002



4003

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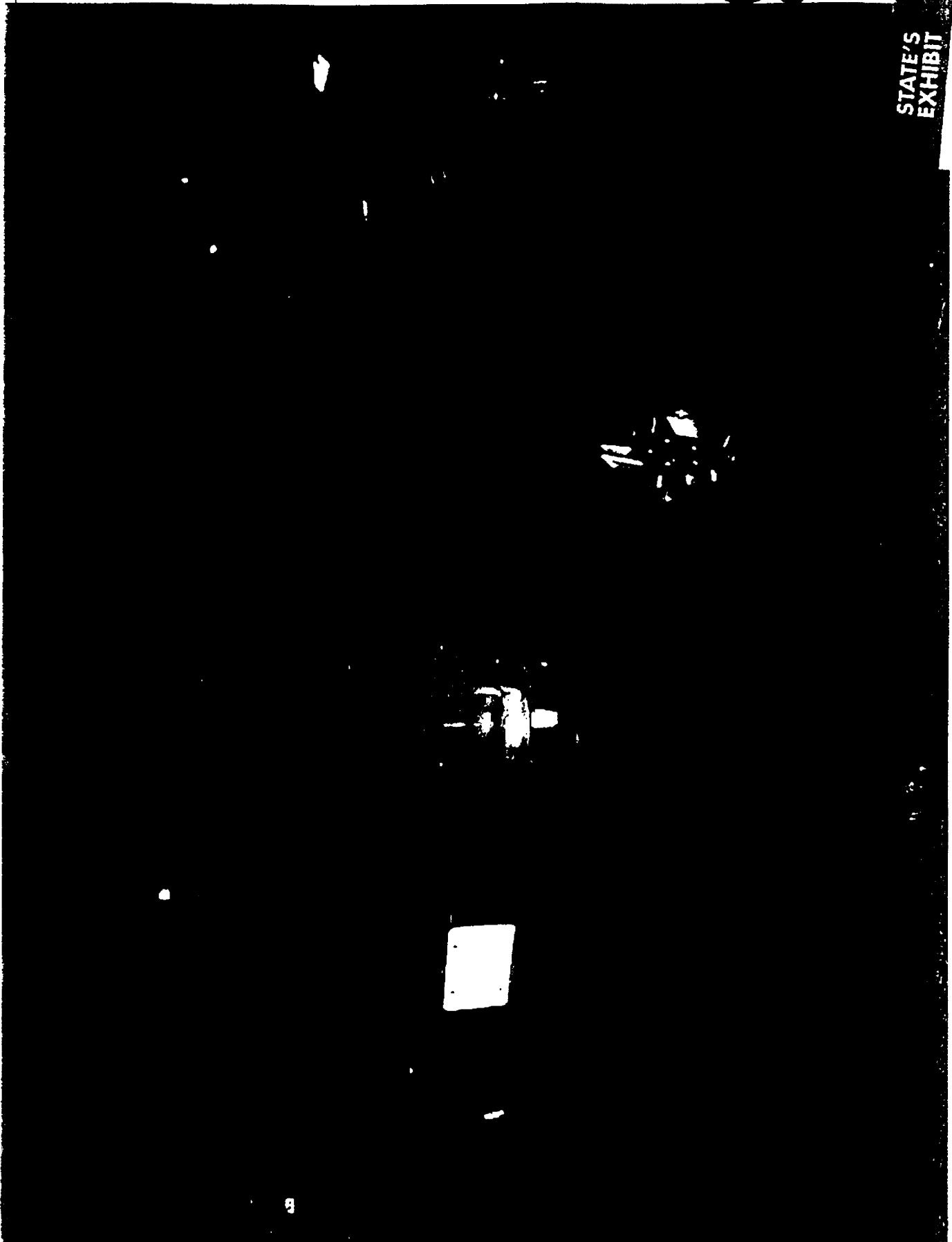
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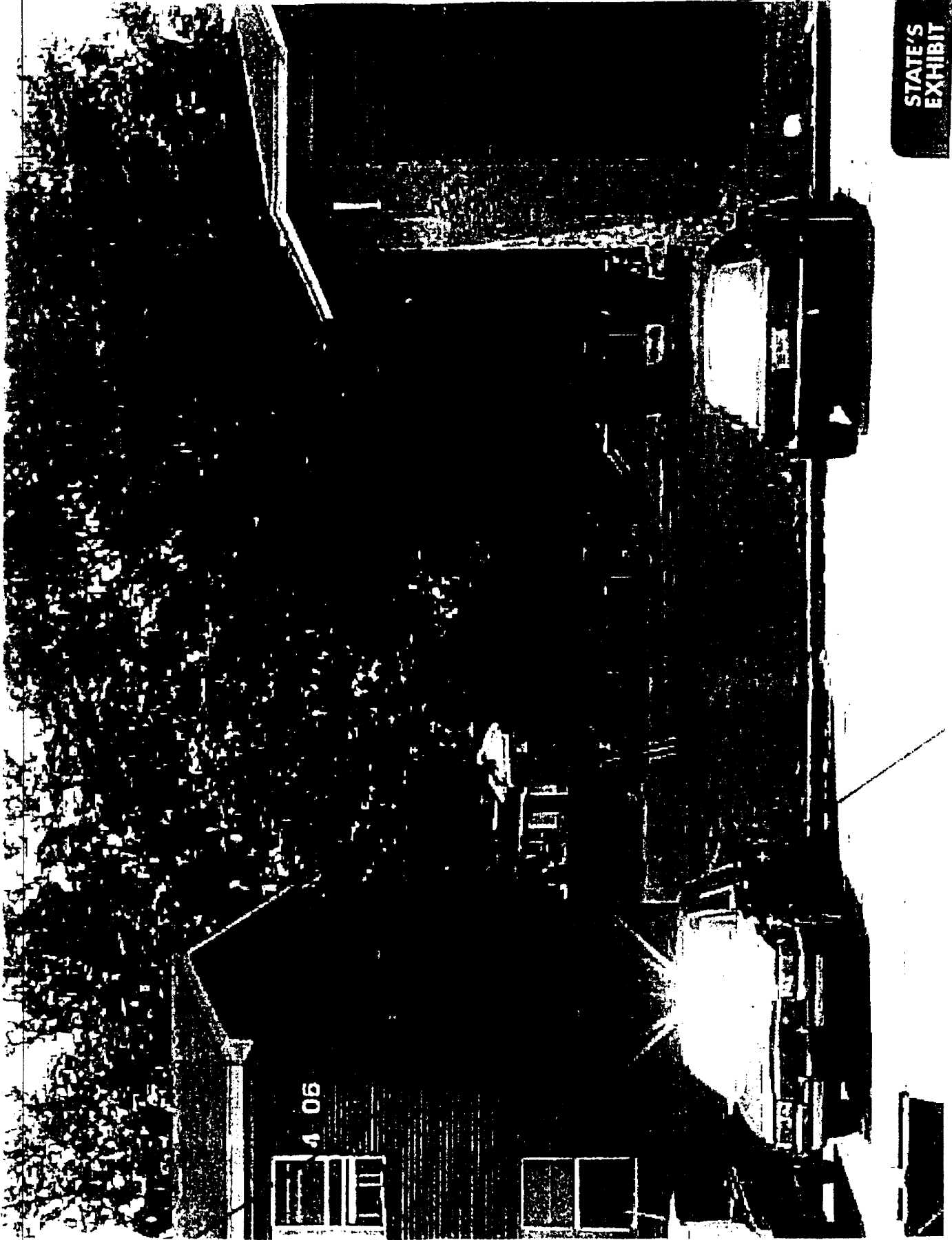
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EXHIBIT





STATE'S
EXHIBIT

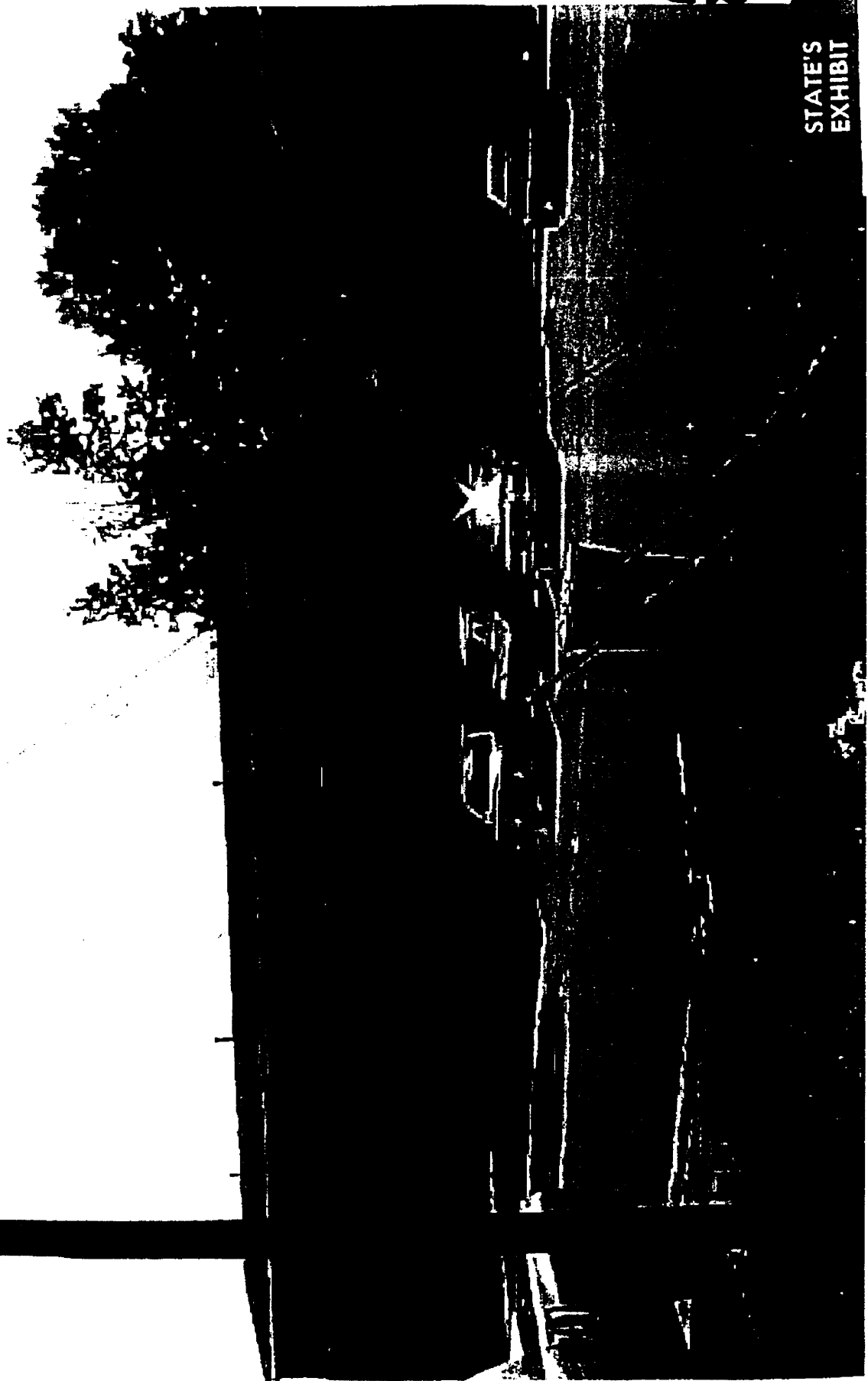
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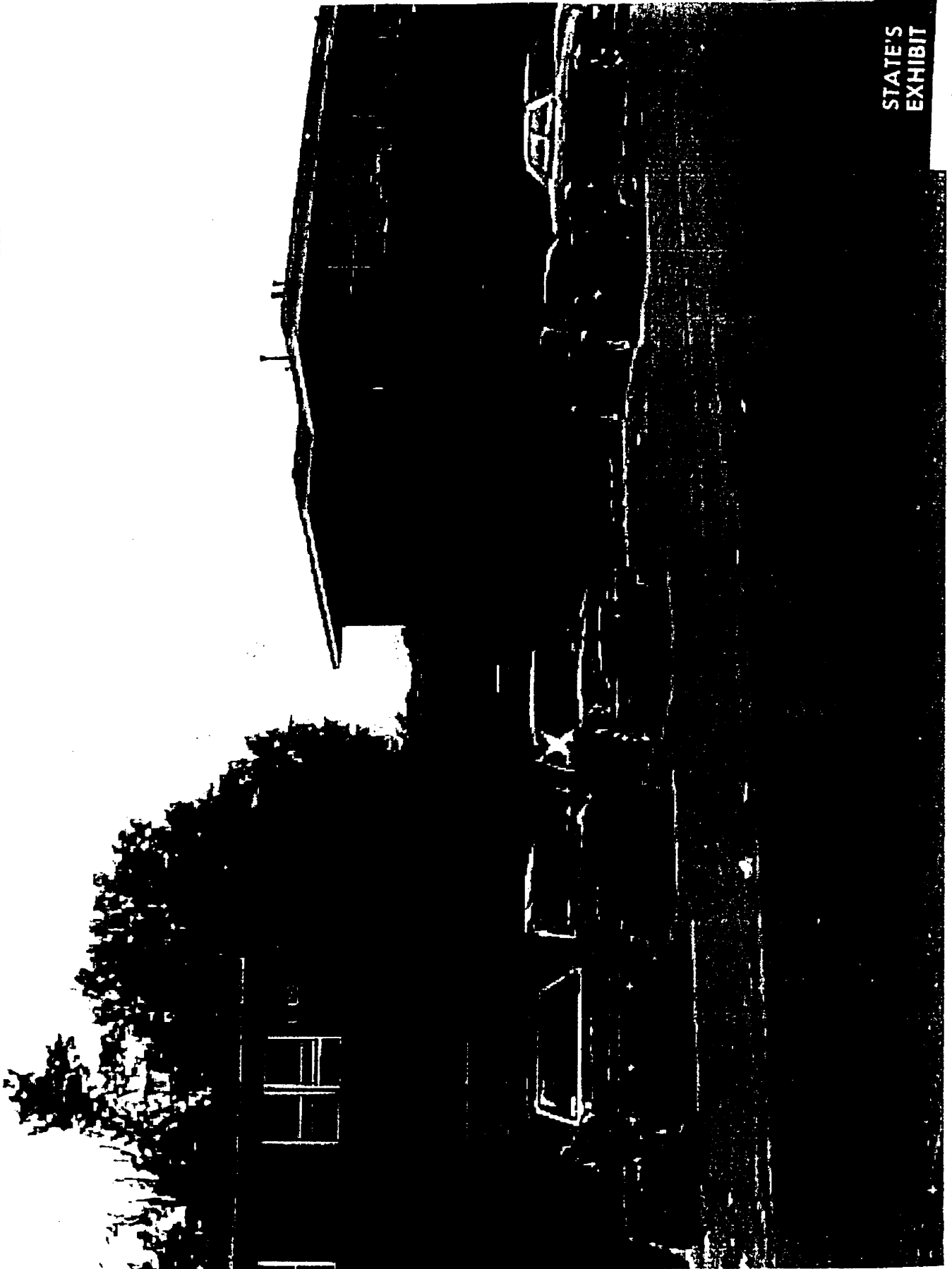
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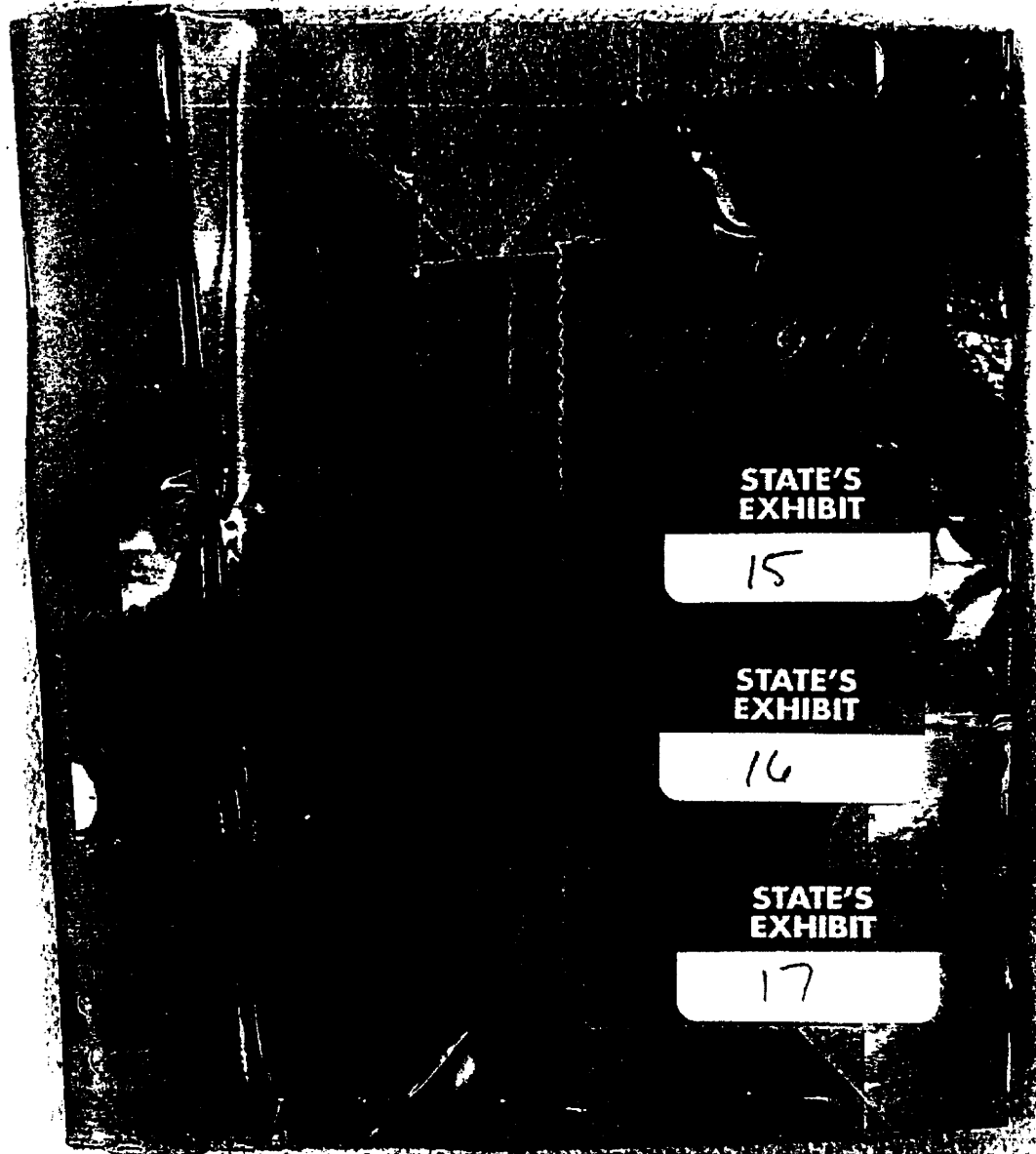
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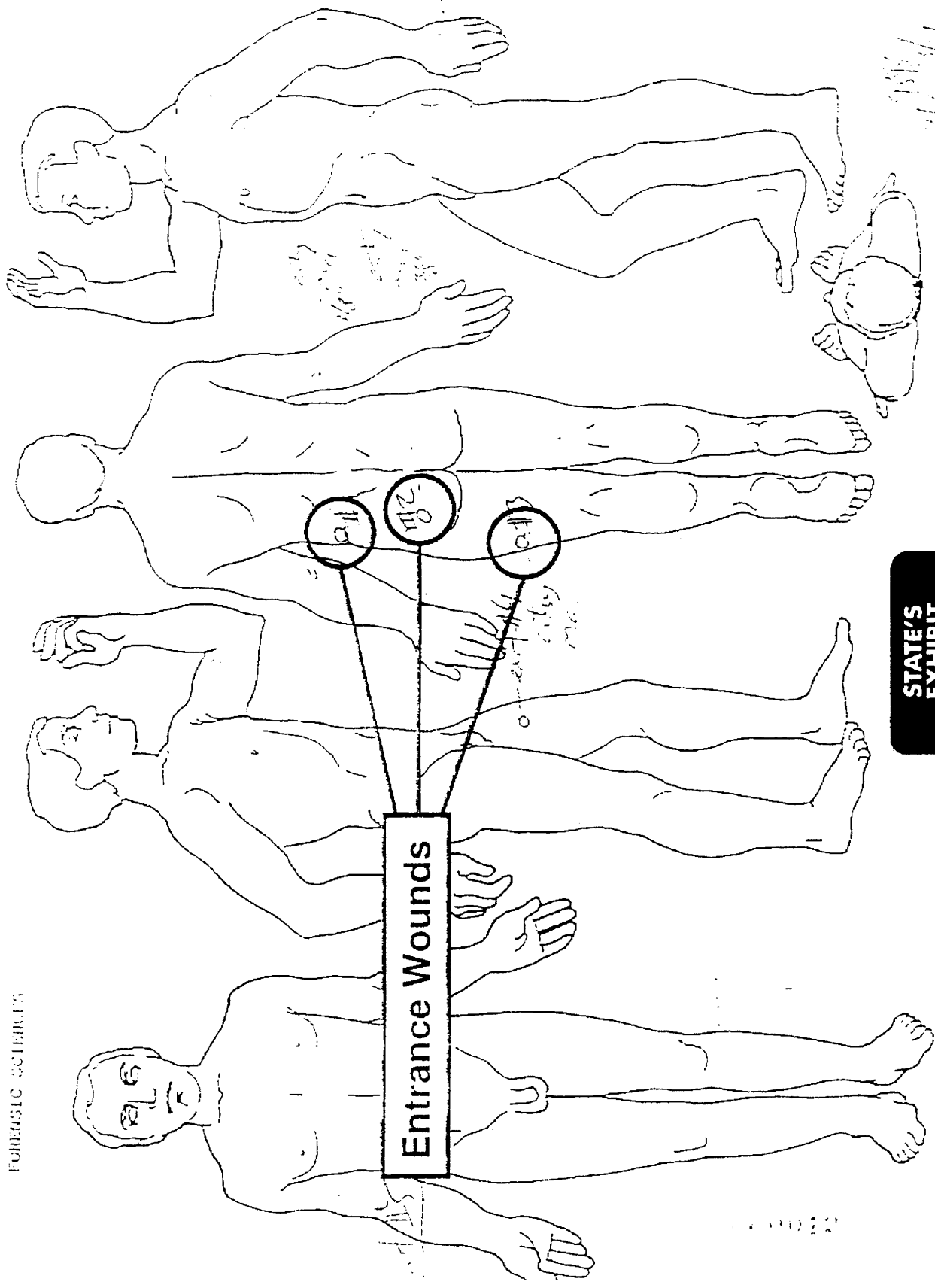
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Case No. 00mmcorrk

February 6, 02

Date

ALABAMA DEPARTMENT OF
FORENSIC SCIENCE



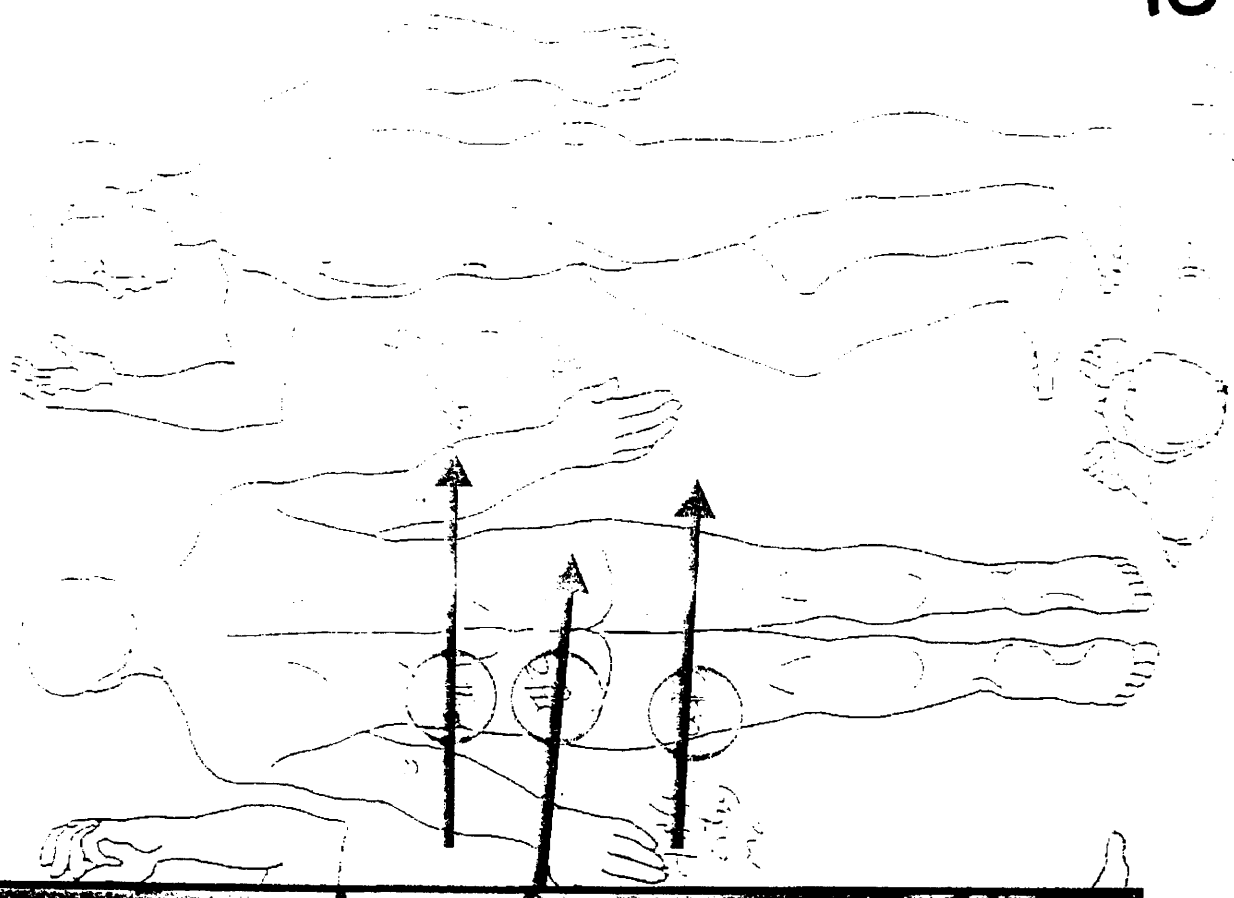
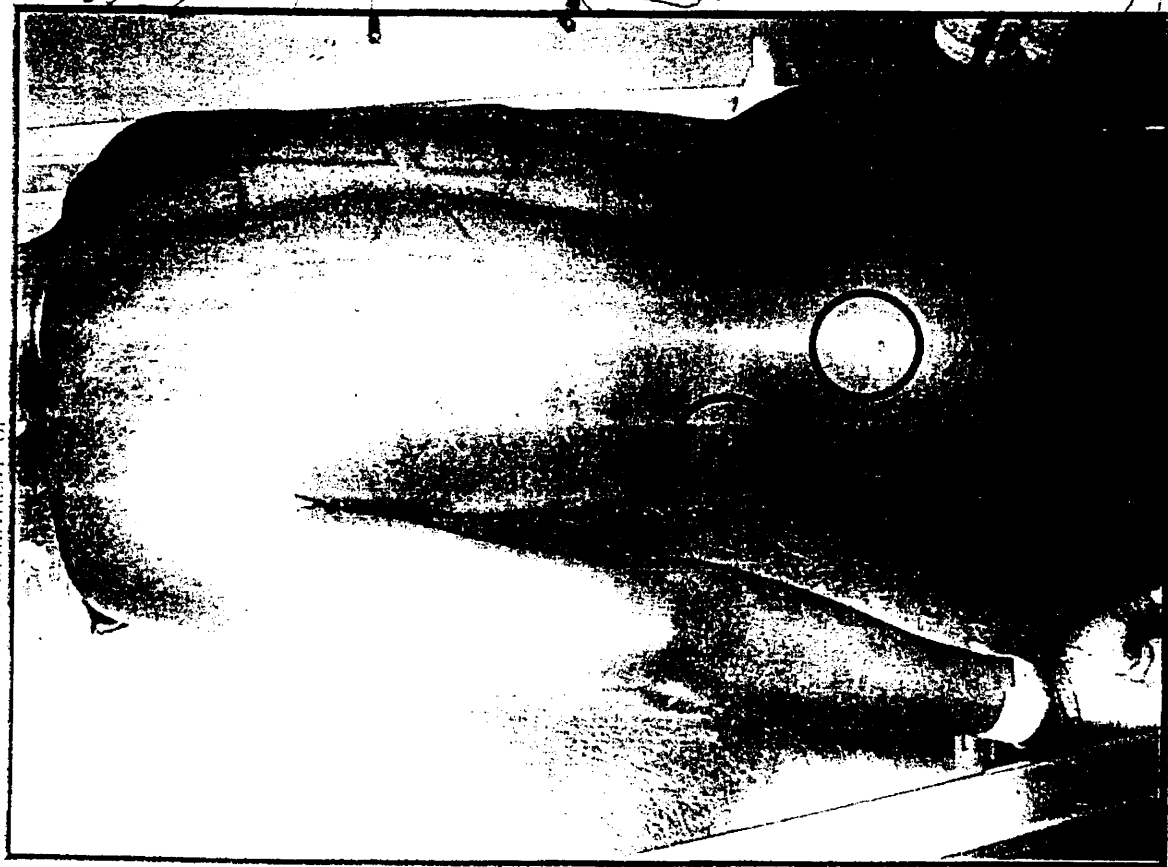
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EXHIBIT

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DATE: FEBRUARY 2, 2006

ALABAMA DEPARTMENT OF CORRECTIONS

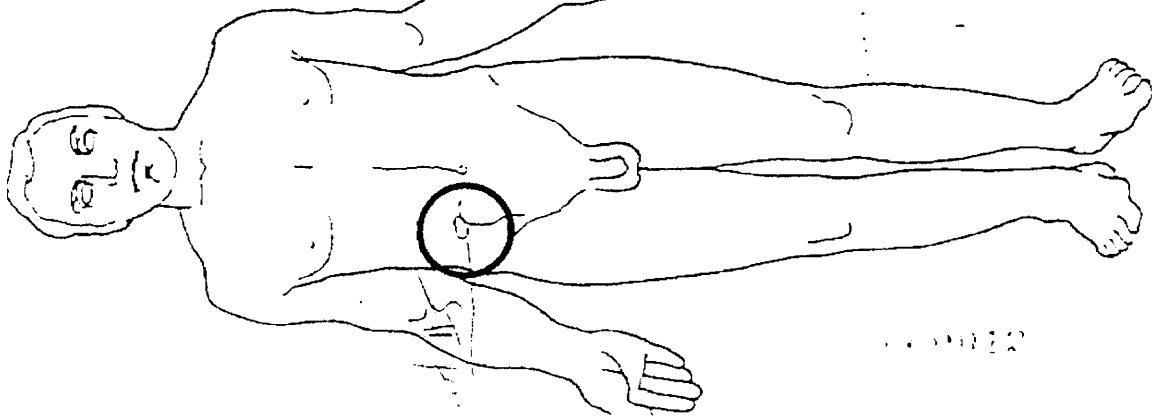
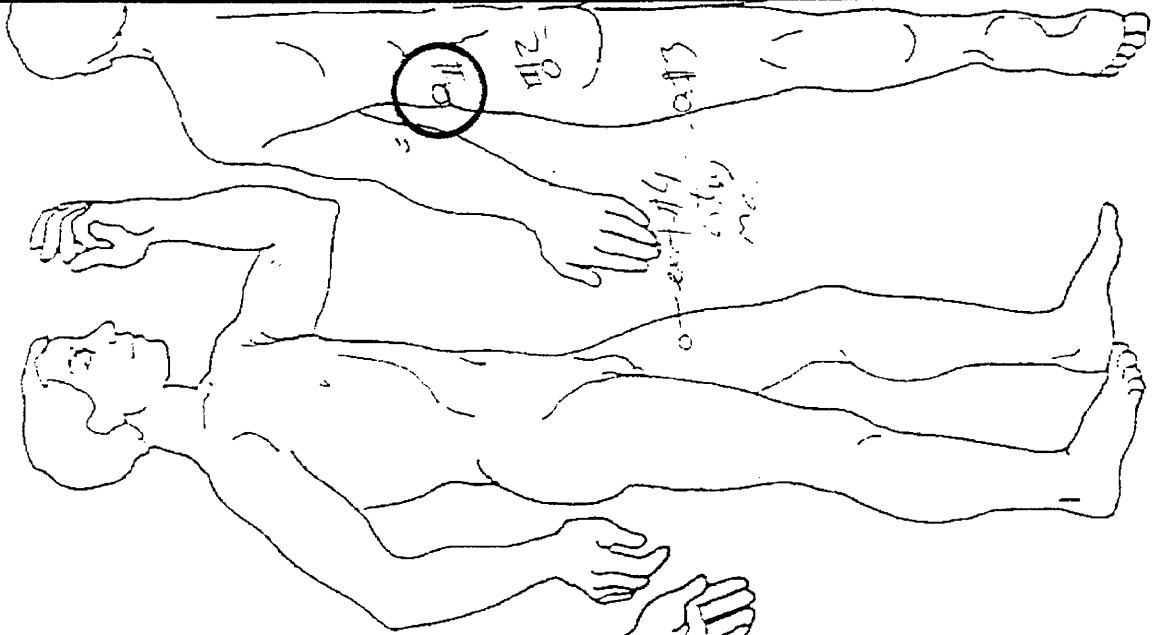
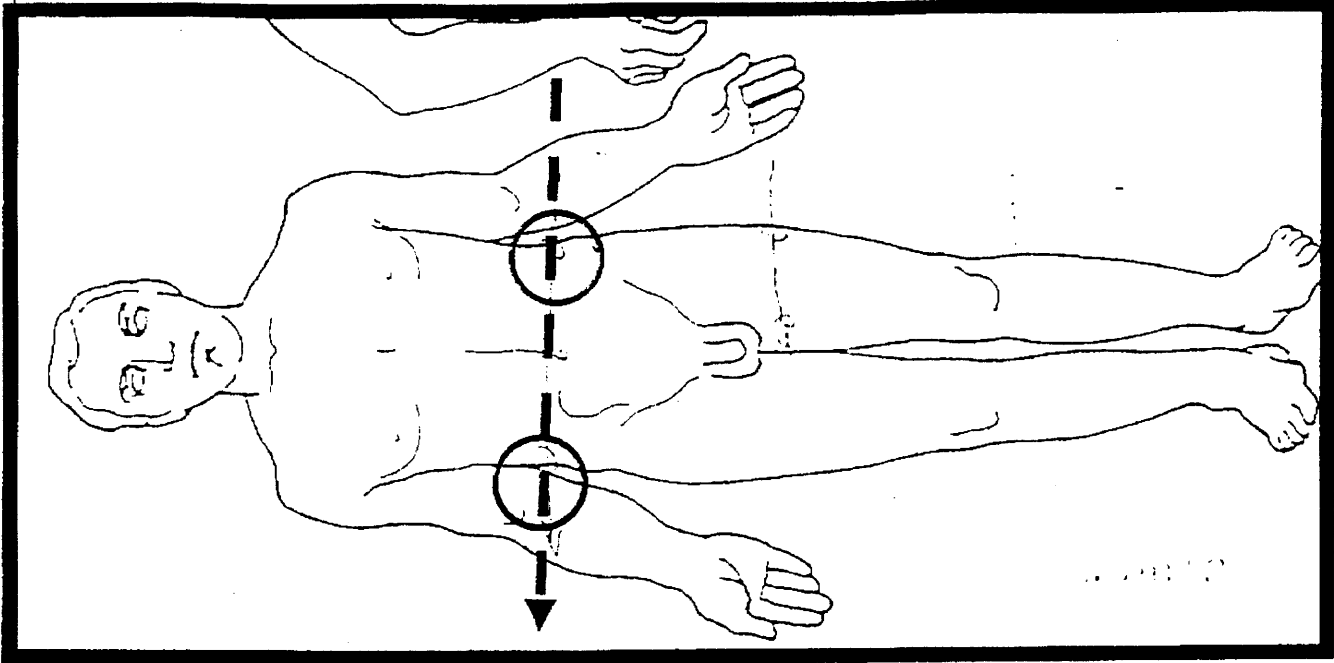
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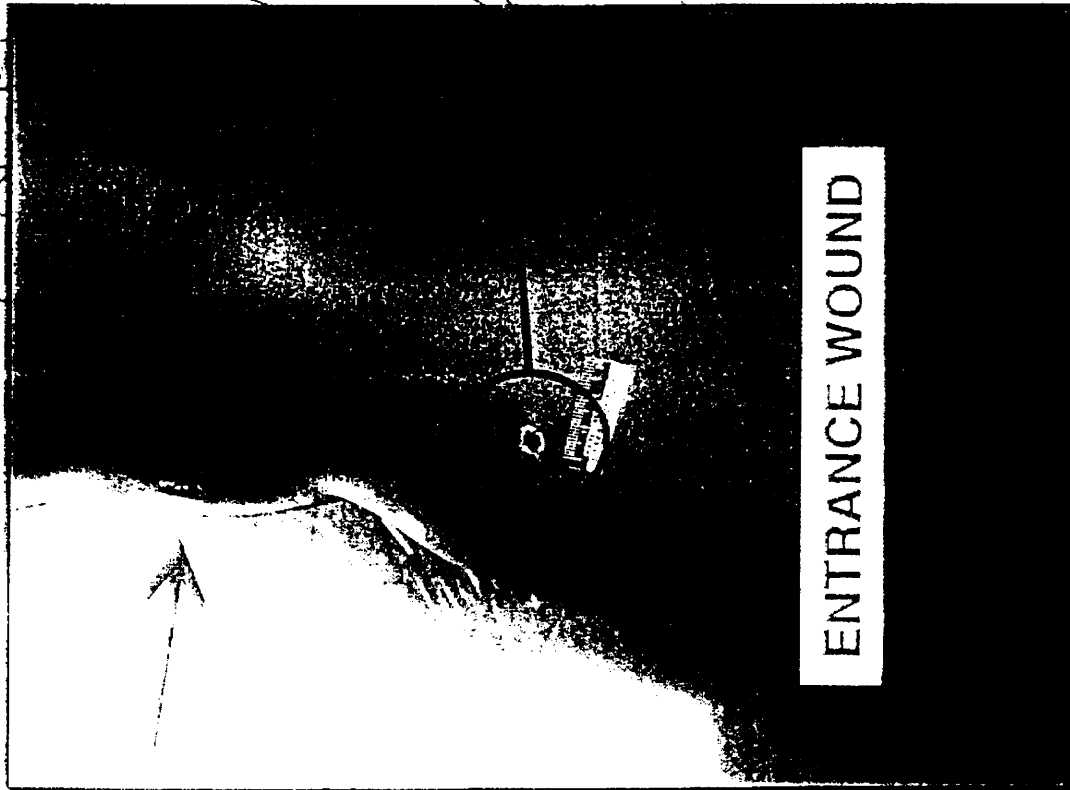
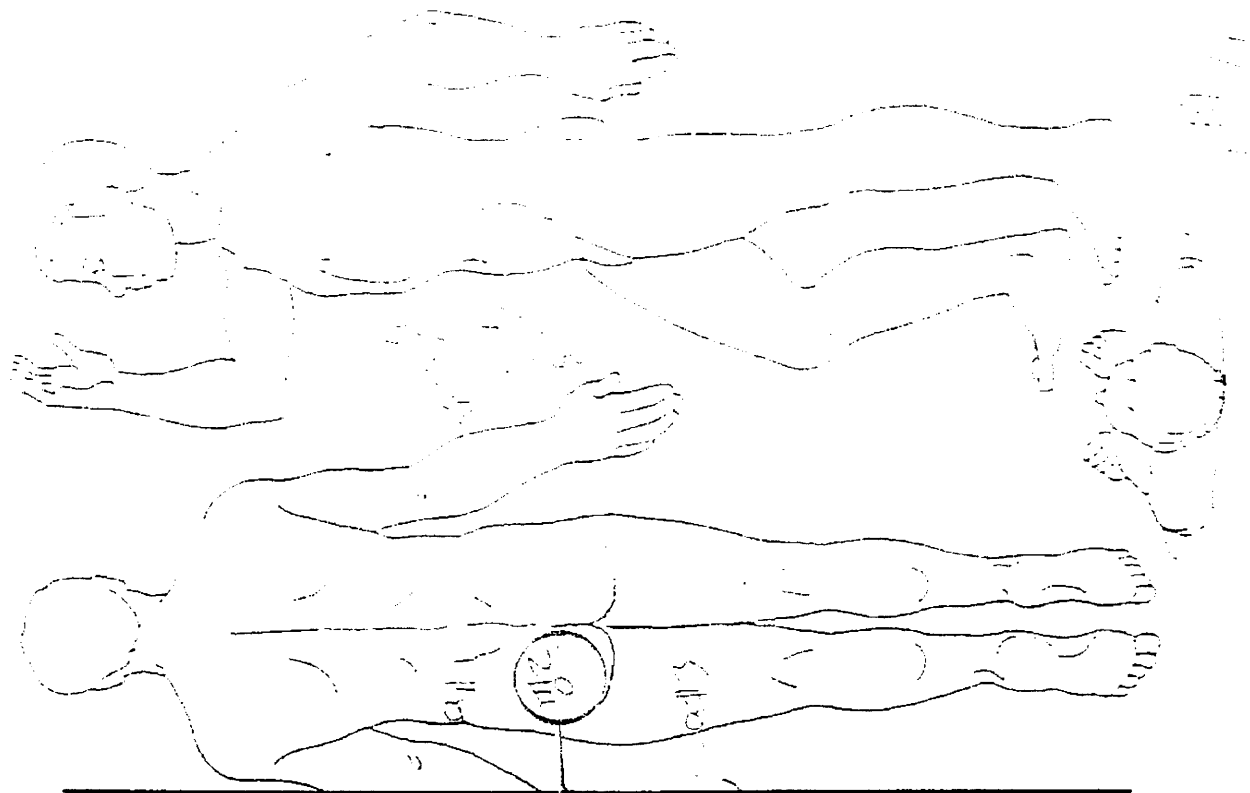


Date February 6, 02

ALABAMA DEPARTMENT OF
FORENSIC SCIENCES

FD-302 (Rev. 11-27-83)





ENTRANCE WOUND

Case 2:05-cv-01009-ID-TFM

Document 10-2

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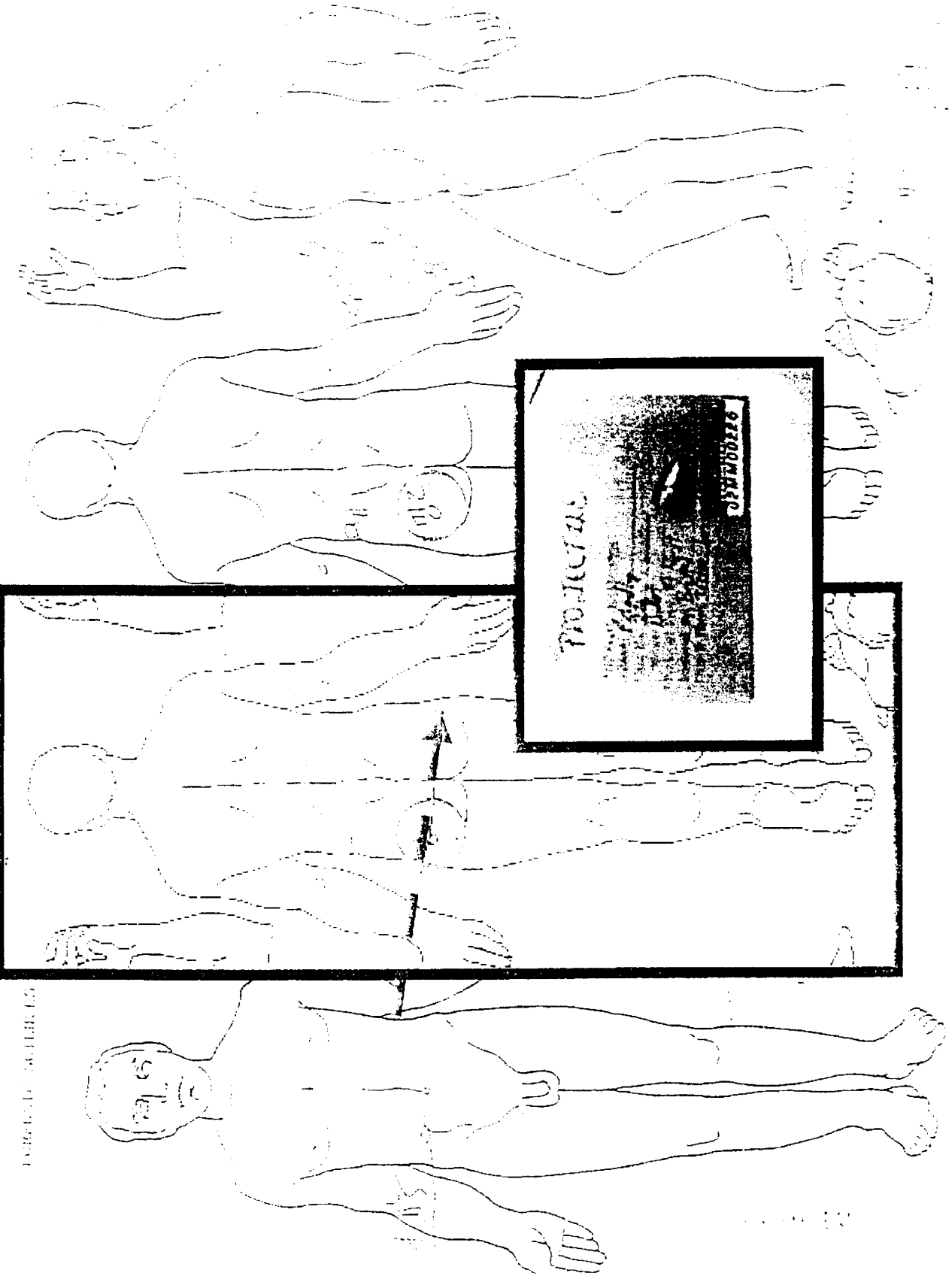
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Case no. 0000000000

Date February 2, 2006

at address of defendant in

FOR THE DEFENDANT



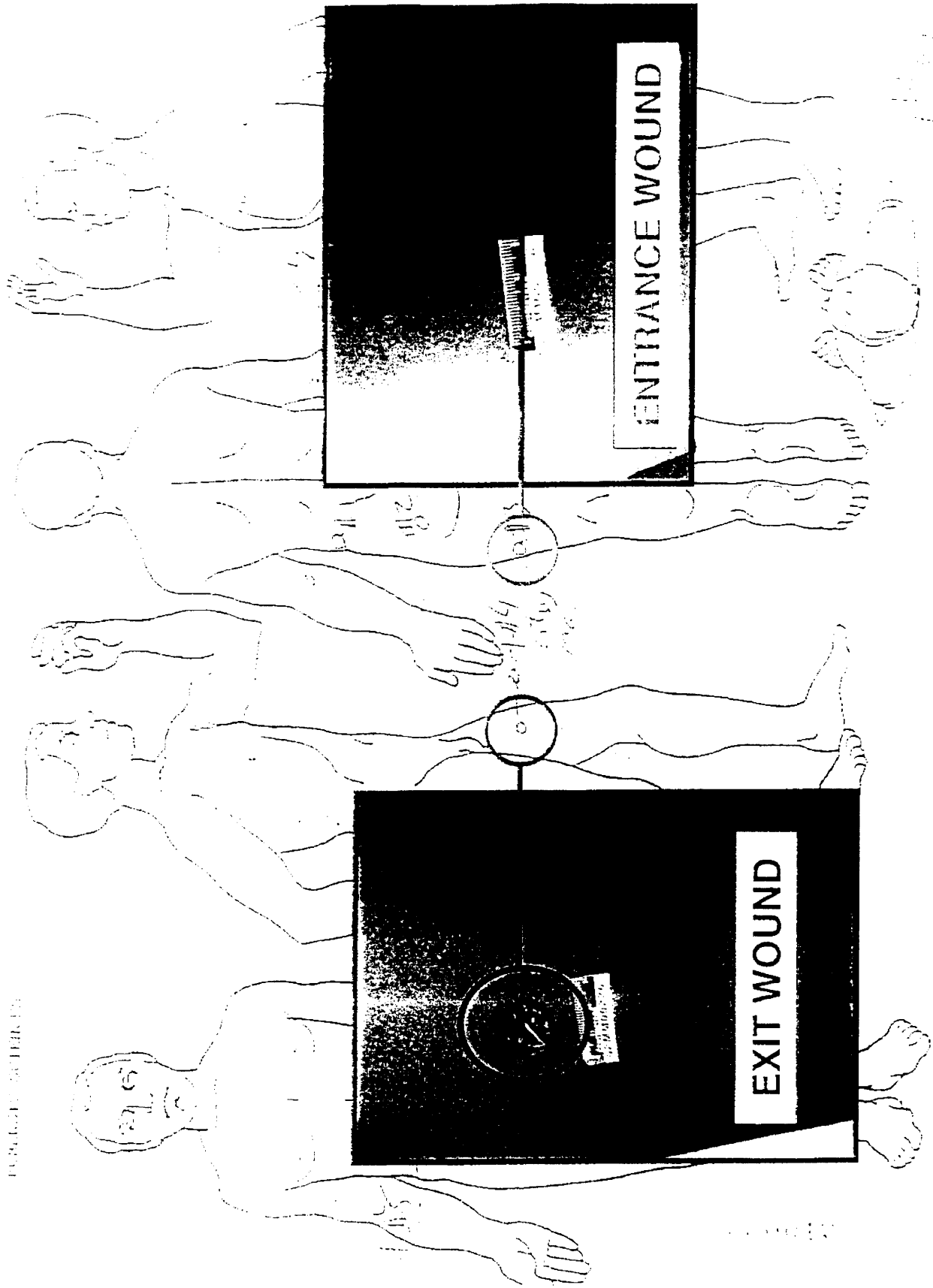
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170000

Fleming, Z.D.

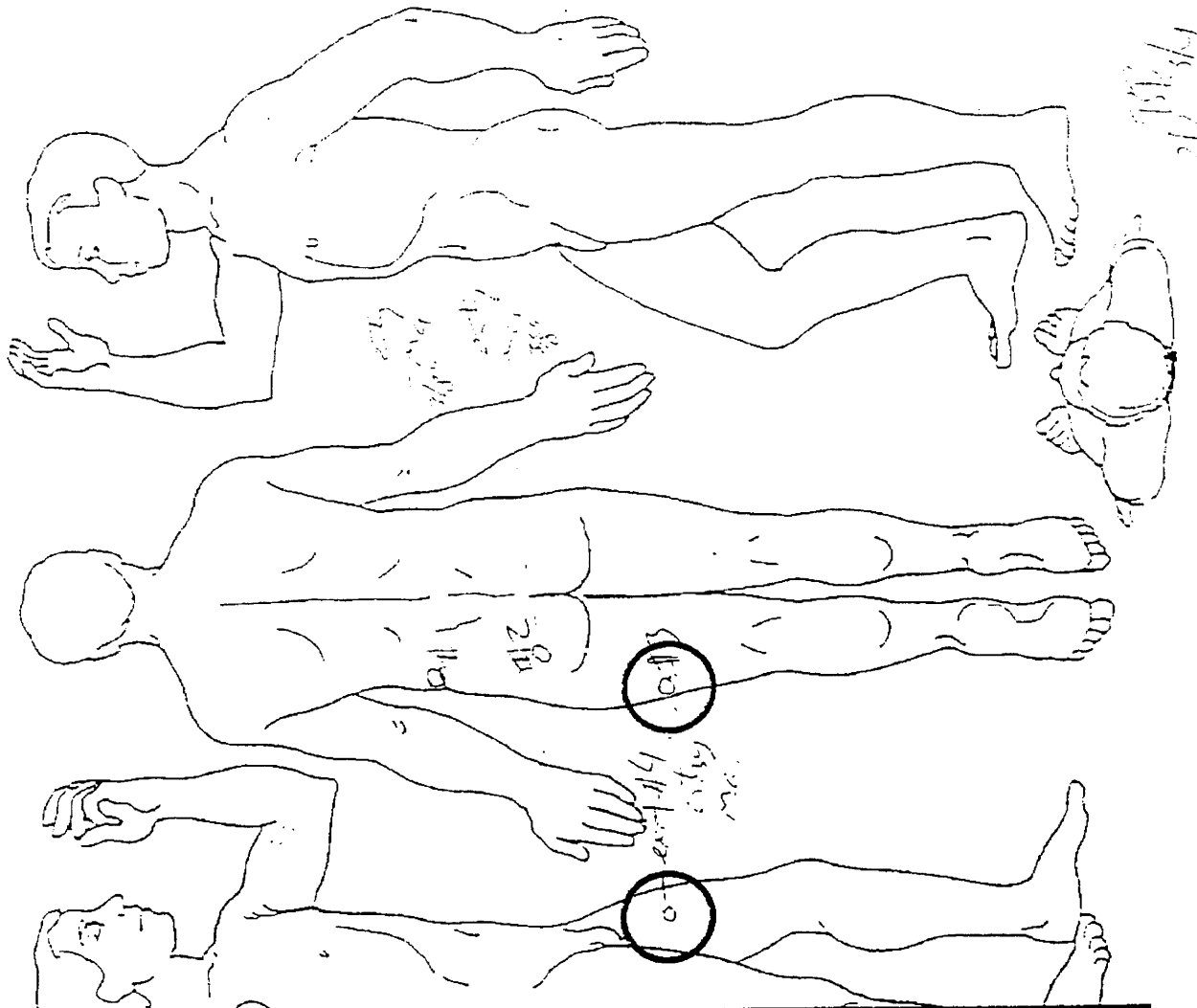
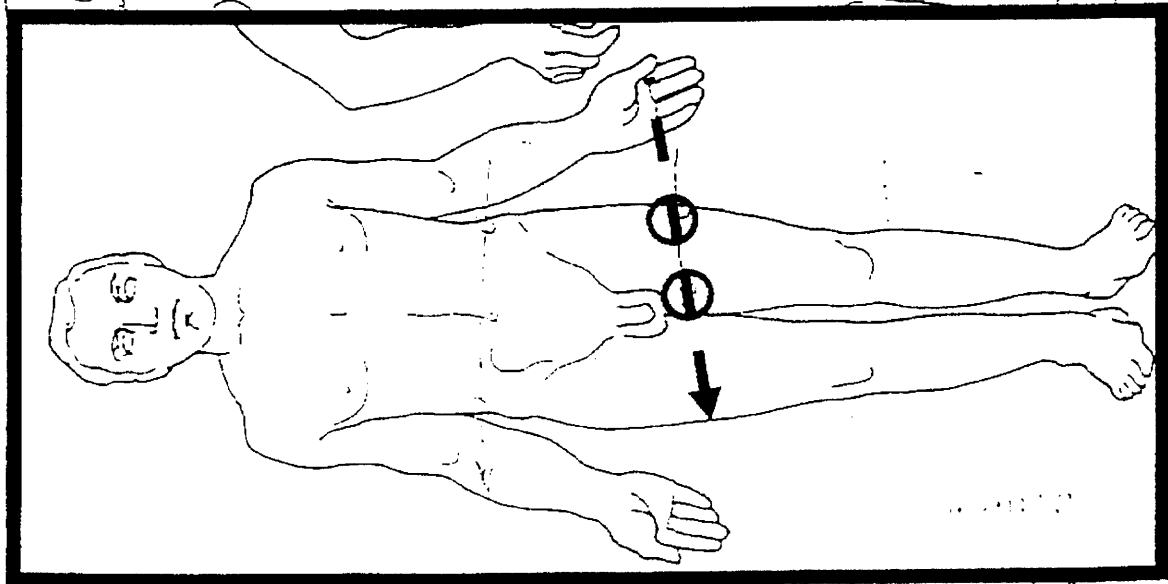
Figure 1: Schematic diagram of the experimental setup. The diagram shows a reaction vessel containing a mixture of reactants, with arrows indicating the flow of reactants into the vessel and the flow of products out of the vessel. The reaction is represented by the equation: $2\text{H}_2\text{O}_2 \rightarrow 2\text{H}_2\text{O} + \text{O}_2$. The diagram also shows a gas syringe connected to the reaction vessel, which is used to measure the volume of oxygen gas produced. The diagram is labeled with 'Figure 1' and 'Schematic diagram of the experimental setup'.

100
 90
 80
 70
 60
 50
 40
 30
 20
 10
 0
 0 10 20 30 40 50 60 70 80 90 100



Date February 2, 22

LABORATORY DEPARTMENT OF
FORENSIC SCIENCES



77

BENJAMIN LEE BRISTOL

WORK EXPERIENCE

Alabama Department of Forensic Sciences,

Medical Examiner 2/01-11/02

Montgomery, AL

EDUCATION

Hartford Hospital, Department of Pathology
AP/CP Residency, 1999

Hartford, CT

University of Connecticut, School of Medicine
MD, 1993

Farmington, CT

Harvard University
B.A Biochemistry, 1987

Cambridge, MA

FELLOWSHIPS

Office of the Chief Medical Examiners
Forensic Medicine Fellow, 2000

Orlando, FL

Hartford Hospital, Department of Toxicology
Post Graduate Year 5 Toxicology Subspecialty, 1999

Hartford, CT

RESEARCH EXPERIENCE

Hartford Hospital, Department of Toxicology
Toxicology research involving solid phase extraction
and gas chromatography/mass spectrometry, 1999

Hartford, CT

"Adulteration of Urine by Urine Luck"
Journal of Clinical Chemistry, 1999Harvard University, Harvard Medical School
Molecular biology research involving tissue culture,
enzymes, electrophoresis and flow cytometry, 1987

Cambridge, MA

CERTIFICATION

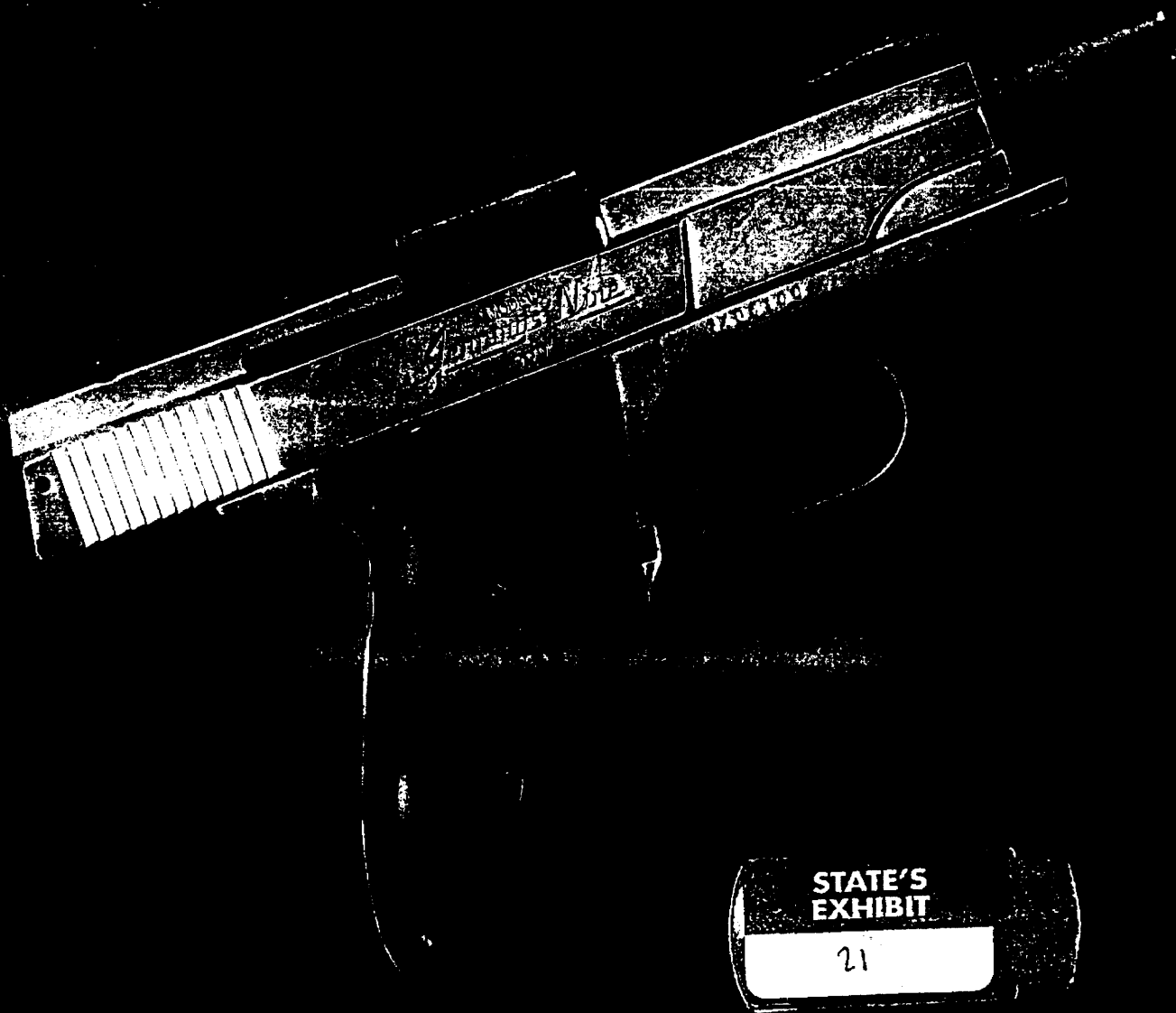
AP certified, FP board eligible

411 CHASEWAY DRIVE, PIKE ROAD, AL 36064 (334) 279-1554 (H)

EMAIL: BENMEAL@AOL.COM

STATE'S
EXHIBIT

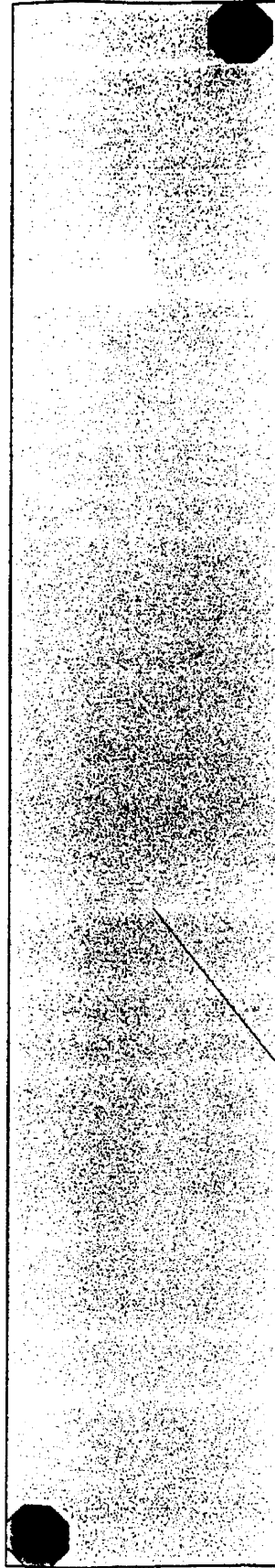
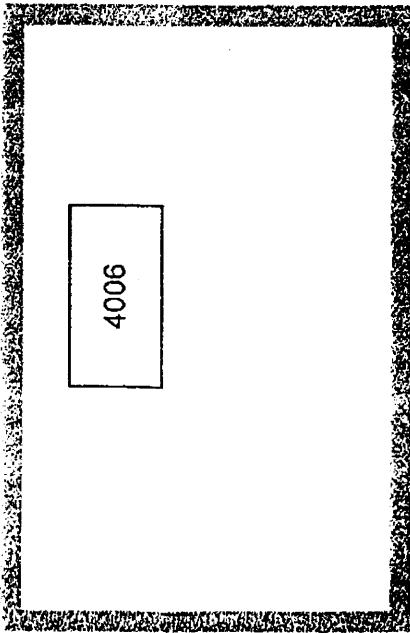
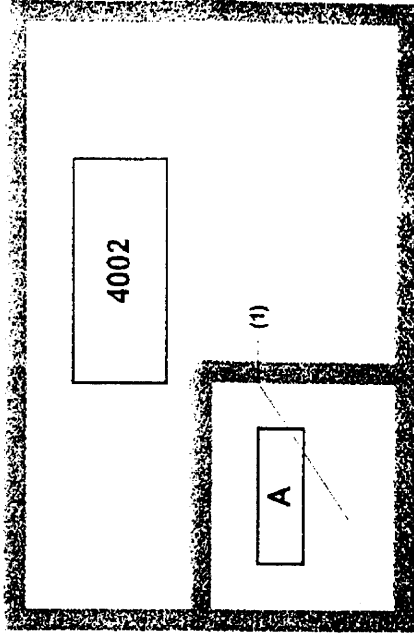
20-9



79

STATE'S
EXHIBIT

27



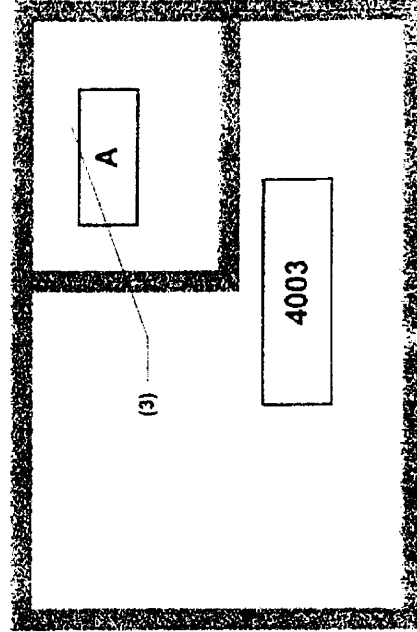
OTIS LANE

(4)



N. SMILEY
CIRCLE

(3)



80

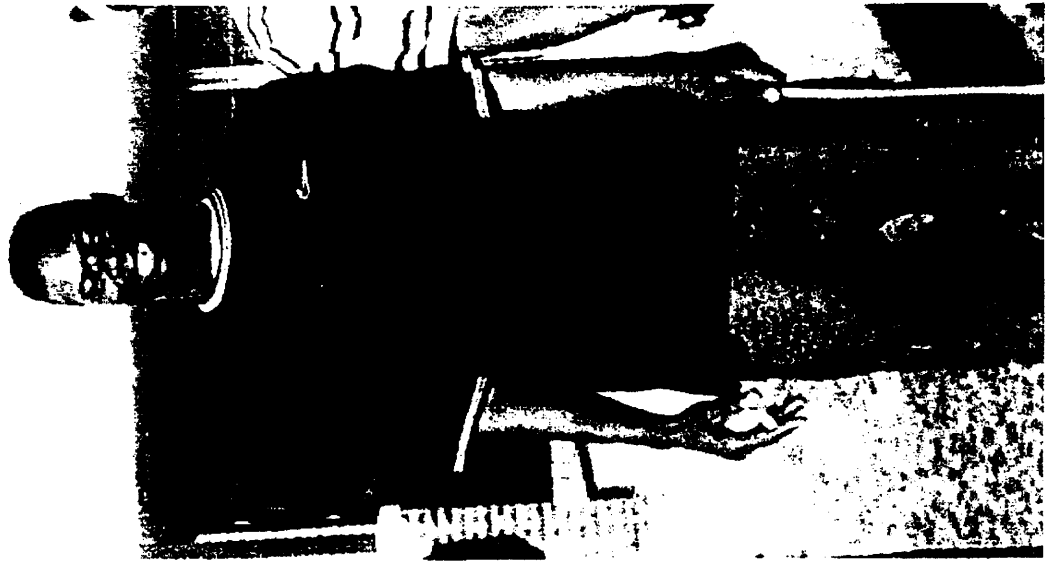
STATE'S
EXHIBIT

27-9

<p>CASE #02-02623</p> <p>VICTIM: B/M, JAMES EDWARD FRIENDLY DATE: 02/01/2002 TIME: 2337 HOURS LOCATION: 4000 BLOCK OF MARYLN ST., MONTGOMERY, AL 36108</p> <p>INVESTIGATOR: CPL. E.E. HOWTON JR. #404 DRAWN BY: CPL. E.E. HOWTON JR. #404</p> <p>**** DRAWING NOT TO SCALE ****</p>	<p>LEGEND</p> <p>(1) EBONY NICOLE JUDKINS APARTMENT: 4002-A MARYLN ST.</p> <p>(2) AREA BETWEEN BUILDINGS WHERE VICTIM WAS SHOT.</p> <p>(3) ERIC STEWART/AMY ALBRIGHT APARTMENT: 4003-A MARYLN ST.</p> <p>(4) 4000 BLOCK OF MARYLN ST.</p>
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81

STATE'S
EXHIBIT



STATE'S
EXHIBIT

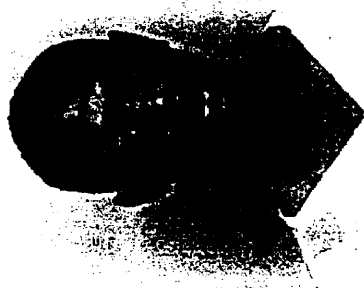
31



1



4



2



5



3



6

DEFENDANT'S
EXHIBIT

I have identified picture # 3 as the suspect on 2-22-06 (Date)

Signature: Bryant Thomas

Montgomery Police Department Case #

Montgomery Police Department Photo Line up

State of Alabama Unified Judicial System ARAP-14 Rev. 11/91	CERTIFICATE OF COMPLETION AND TRANSMITTAL OF RECORD ON APPEAL BY TRIAL CLERK	Appellate Case Number _____
TO: THE CLERK OF THE COURT OF CRIMINAL APPEALS OF ALABAMA		DATE OF NOTICE OF APPEAL: 08/18/03
APPELLANT Darryl Jason Joyce		
v. STATE OF ALABAMA		

I certify that I have this date completed and transmitted herewith to the appellate court the record on appeal by assembling in (a single volume of _____ pages) (_____ volumes of 200 pages each and one volume of _____ pages) the clerk's record and the reporter's transcript and that one copy each of the record on appeal has been served on the defendant and the Attorney General of the State of Alabama for the preparation of briefs.

I certify that a copy of this certificate has this date been served on counsel for each party to the appeal.

DATED this 12th day of November, 2003.

Melissa Pittman

Circuit Clerk

CR-02-2104
Part 1 of 5

DOCUMENT NAME: Joyce, Darryl Jewon

CLIENT & MATTER: 58199-001

DESCRIPTION:

County: Montgomery

CC#s: 2002-1417

Attorney: Jean Therkelsen

Circle: TRANSCRIPT CASE FILE BOTH

LWOP

3 volumes
NUNV

CERTIFICATION

I hereby certify that the preceding imaged records and documents
are a true, accurate, and complete image of the original records or
documents as received by the Office of the Attorney General of

the State of Alabama.

This the 19th day of January, 2005.

Signed: Melisa A. Martin

Notary: Coleen F. Gibson

Coleen F. Gibson
Notary Public
Commission expires 06/11/06